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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 145]

#### PART 1468—GRAIN

##### DISTRIBUTION AND USE OF GRAIN

The fulfillment of war requirements and requirements for the defense of the United States has resulted in a shortage in the supply of grain and grain products for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.12 *Distribution and use of grain—(a) Definitions.* (1) "Grain" means corn, grain sorghums, wheat, barley, oats, or grain grading mixed grain, as defined in the "Handbook of Official Grain Standards of the United States," Revised 1943, whether whole, crushed, pulverized, cracked, or in any similar form, excluding, however, grain intended for sale or use as seed.

(2) "Corn" means corn as defined in the "Handbook of Official Grain Standards of the United States," Revised 1943, whether whole, crushed, pulverized, cracked, or in any similar form, excluding popcorn, sweet corn, broom corn, corn used for canning purposes, and corn intended for sale or use as seed.

(3) "Grain sorghums" means grain sorghums as defined in the "Handbook of Official Grain Standards of the United States," Revised 1943, whether whole, crushed, pulverized, cracked, or in any similar form, including sweet sorghums and any other variety of sorghum grain used for feed or food, excluding, however, all sorghums intended for sale or use as seed.

(4) "Wheat" means wheat as defined in the "Handbook of Official Grain Standards of the United States," Revised 1943, whether whole, ground, crushed, pulverized, cracked, or in any similar

form, excluding wheat millfeeds, emmer, spelt, einkorn, Polish wheat, poulard wheat, and wheat intended for sale or use as seed.

(5) "Grain products" and "grain by-products" mean, respectively, any grain product except corn gluten meal, and any grain by-product except corn gluten meal.

(6) "Mixed feed" means any feed containing grain, grain products or grain by-products, manufactured for sale for the feeding of livestock, poultry, or pets.

(7) "Mixed feed manufacturer" means any person engaged in the commercial manufacture of mixed feed, and includes any person who buys grains and mixes the same with other food ingredients for purposes of resale, or who grinds, pulverizes, rolls, or otherwise processes grain for resale for feeding purposes.

(8) "Feeder" means any person who feeds grain or mixed feed to livestock or poultry.

(9) "Food manufacturer" means any person other than a brewer, distiller, wet processor, dry processor or maltster, who uses whole corn or whole grain sorghums in the commercial manufacture of edible products for human consumption.

(10) "Dry processor" means any person who mills corn for human consumption by the dry milling process.

(11) "Wet processor" means any person, other than a distiller, who processes grain by the wet milling process.

(12) "Inventory" means the total quantity of corn and grain sorghums owned by any person, whether in store or in transit.

(13) "Futures contract" means a contract of sale consummated through a contract market designated under the Commodity Exchange Act (7 U.S.C. 1-17a), for the future delivery of grain.

(14) "Person" means, any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(15) "Assistant Administrator" means the Assistant Administrator, for regulatory and marketing service work, Production and Marketing Administration, United States Department of Agriculture.

(Continued on p. 3347)

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#### NOTICE

##### 1945 Supplement

Book 1 of the 1945 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3 per copy. This book contains Titles 1 through 9, and includes, in Title 3, Presidential documents in full text together with appropriate reference tables.

A limited sales stock of the 1944 Supplement is still available as previously announced.

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## RESTRICTIONS ON USE

(b) *Mixed feed manufacturers; use of grain, grain products and grain by-products.* (1) No mixed feed manufacturer shall, during any calendar month, use grain, grain products, or grain by-products in a quantity in excess of 80% of all grain, grain products and grain by-products used by such manufacturer during the corresponding calendar month of 1945. This provision shall not modify any other limitation with respect to the use, under existing war food orders, of specific types of grain, grain products or grain by-products.

(2) No mixed feed manufacturer shall use white corn unless such white corn has first been offered for sale and delivery to a dry processor: *Provided, however,* That this restriction shall not apply to any mixed feed manufacturer located south of the Ohio River and east of the Mississippi River who uses white corn produced in that area.

(c) *Food manufacturers; dry processors; use of corn and grain sorghums.* No food manufacturer or dry processor shall, during any calendar month, use corn or grain sorghum in excess of 85% of the average monthly quantity of corn and grain sorghum used by such person during 1945.

(d) *Wet processors; use of corn and grain sorghums.* (1) No wet processor shall, during any calendar month, use corn or grain sorghums in excess of 80% of the average monthly quantity of corn and grain sorghums used by such person during the first six months of 1945.

(2) No wet processor shall use white corn unless such white corn has first been offered for sale and delivery to a dry processor.

(e) *All persons; use of grain in mixtures.* No person shall use grain in making any mixture of grains for sale as an ingredient in the manufacture of mixed feed.

## RESTRICTIONS ON PURCHASE

(f) *Feeders; purchase of grain, grain products and grain by-products.* (1) No feeder shall purchase grain, grain products or grain by-products for use in feeding hogs for market (other than breeding stock) to a weight beyond 225 pounds, or for use in feeding cattle for market to any grade better than Grade A.

(2) During the period from April 1, 1946 to September 30, 1946, both inclusive, no feeder shall, for the purpose of feeding chickens, turkeys, ducks, or any other species of poultry, purchase grain, grain products or grain by-products in any quantity which, when added to the supply of mixed feed in the hands of such feeder, will result in a total supply of feed materials in excess of the quantity needed to feed 80% of the aggregate number of such fowl fed by such feeder during the corresponding period of 1945;

*Provided, however,* That the provisions of this paragraph (f) shall not apply to the purchase of grain, grain products, or grain by-products for the feeding of hogs or cattle in transit or at a stockyard, nor to the purchase of corn by producers or manufacturers of anti-hog cholera serum and hog cholera virus for the production of such serum or virus.

## RESTRICTIONS ON INVENTORIES

(g) *Mixed feed manufacturers' inventories.* No mixed feed manufacturers shall accept delivery of corn if, either prior to or after acceptance of such delivery, his total inventory of corn and grain sorghums, plus all quantities of such grains bought to arrive or with respect to which he has a contract to purchase (excluding futures contracts) exceeds a 45-day supply based upon the greater of the following quantities:

(1) 80% of his average monthly use of corn and grain sorghums during the corresponding calendar month of 1945 and the following month; or

(2) 16% of his average monthly use of grain, grain products and grain by-products during the corresponding calendar month of 1945 and the following month.

(h) *Feeders' inventories.* No feeder shall accept delivery of corn if, either prior to or after acceptance of such delivery, his total inventory of corn and grain sorghums, plus all quantities of such grains bought to arrive or with respect to which he has a contract to purchase (excluding futures contracts) exceeds a 45-day supply based upon his requirements for feeding hogs for market (other than breeding stock) up to 225 pounds, cattle for market up to Grade A, and poultry up to 80% of the aggregate number fed during the period from April 1, 1945 to September 30, 1945.

(i) *Food manufacturers', dry processors' and wet processors' inventories.* No food manufacturer, dry processor or wet processor shall accept delivery of corn if, either prior to or after acceptance of such delivery, his total inventory of corn and grain sorghums, plus all quantities of such grains bought to arrive or with respect to which he has a contract to purchase (excluding futures contracts) exceeds a 45-day supply based upon the use restriction applicable to such person under the provisions of this order.

(j) *Inventory exemptions.* Notwithstanding any other provision of this order:

(1) Subject to the compliance certificate requirement contained in paragraph (k) hereof, any person may deliver and any person may receive corn where such delivery and receipt takes place on or before July 1, 1946, pursuant to the terms of a contract in existence on or before March 2, 1946.

(2) Subject to the compliance certificate requirement contained in paragraph (k) hereof, any person whose inventory of corn and grain sorghums does not exceed the quantity permissible under the applicable provision of this order may accept delivery of one carload of corn.

(3) Subject to the compliance certificate requirement contained in paragraph (k) hereof, any person may deliver and any person may receive corn to be used for the feeding of hogs or cattle in transit or at a stockyard.

(4) No inventory restriction shall be applicable nor shall any compliance certificate be required in the case of usual or customary sales of corn which is delivered directly by a producer to a purchaser in wagon or truckload lots.

(k) *Compliance certificates.* (1) No feeder, mixed feed manufacturer, food manufacturer, dry processor or wet processor shall accept delivery of corn in excess of 2,000 pounds per month from any person other than a producer, and no person other than a producer shall deliver corn in excess of 2,000 pounds per month to a feeder, mixed feed manufacturer, food manufacturer, dry processor or wet processor unless, prior to acceptance of delivery, the receiver executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the United States Department of Agriculture and to \_\_\_\_\_ that

(Name and address of supplier)  
he is familiar with the terms of War Food Order No. 145, that this compliance certificate is furnished in order to enable the undersigned to acquire \_\_\_\_\_ bushels of corn to be delivered on or about \_\_\_\_\_, and that the receipt and use of such corn will not be in violation of any provisions of War Food Order No. 145.

Purchaser  
By \_\_\_\_\_  
Authorized official

Date \_\_\_\_\_

(2) All compliance certificates executed under this paragraph shall be retained for at least two years and shall, upon request, be submitted to the Assistant Administrator for examination. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reason to believe it to be false.

## GENERAL PROVISIONS

(1) *Transfers between branches or departments.* The transfer of corn between units, departments, branches, plants, or companies owned, controlled, or directed by the same person but engaged in separate activities as grain distributors, feeders, mixed feed manufacturers, food manufacturers, dry processors or wet processors shall constitute delivery and acceptance of delivery within the meaning of this order.

(m) *Records and reports.* (1) The Assistant Administrator shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years, or for such period of time as the Assistant Administrator may designate, maintain an accurate record of his transactions in and use of grain.

(n) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(o) *Audits and inspections.* The Assistant Administrator shall be entitled to make such audits or inspections of the books, records and other writings,



premises, or stocks of grain, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(p) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Assistant Administrator. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Assistant Administrator. After said review, the Assistant Administrator may take such action as he deems appropriate, which action shall be final.

(q) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, delivering, or using grain. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(r) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture insofar as such powers relate to the administration of this order, are hereby delegated to the Assistant Administrator. The Assistant Administrator is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(s) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 145, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

(t) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

*Effective date.* This order shall become effective at 12:01 a. m., e. s. t., April 1, 1946.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 29th day of March 1946.

[SEAL] CLINTON P. ANDERSON,  
Secretary.

[F. R. Doc. 46-5264; Filed, Mar. 29, 1946;  
11:22 a. m.]

[WFO 144, Amdt. 3]

#### PART 1468—GRAIN

##### EXEMPTION FOR MIXED FEED MANUFACTURERS

###### Correction

In Federal Register Document 46-5110, which appears at page 3243 of the issue of Thursday, March 28, 1946, the signature appearing on page 3244 should read "Clinton P. Anderson, Secretary of Agriculture."

#### TITLE 18—CONSERVATION OF POWER

##### Chapter I—Federal Power Commission

[Order 128]

##### RULES OF PRACTICE AND REGULATIONS AND APPROVED FORMS

###### MISCELLANEOUS AMENDMENTS

MARCH 26, 1946.

The Commission, acting pursuant to the authority vested in it by the Federal Power Act, particularly section 309 thereof, and finding such action necessary and appropriate for carrying out the provisions of said act, hereby adopts, promulgates, and prescribes the following amendments to the "Rules of Practice and Regulations, with Approved Forms, Effective June 1, 1938" (under the Federal Power Act):

Subchapter A—Rules of Practice and Regulations, Federal Power Act

##### PART 35—FILING OF RATE SCHEDULES

Section 35.10 *Number of copies of rate schedules to be supplied* be and it is hereby amended to read as follows:

§ 35.10 *Number of copies of rate schedules to be supplied.* Two copies of every rate schedule, certificate of concurrence, notice of succession in ownership or operation, and notice of cancellation submitted for filing must be supplied to the Commission. Both copies are to be included in one package, together with a letter of transmittal listing all rate schedules included, and addressed to the Federal Power Commission, Washington, D. C. The Commission reserves the right to request such additional copies of any of the above mentioned instruments as it may find necessary or appropriate to carry out the provisions of the Federal Power Act.

Section 35.20 *Filing* be and it is hereby amended to read as follows:

§ 35.20 *Filing.* Every licensee shall file with the Commission a full and complete copy of every rate schedule, tariff, contract, or agreement, and all supplements thereto, providing for the sale at wholesale (whether for consumption, resale, or any other use whatsoever by the purchaser) of electric energy or mechanical horsepower generated or developed through the facilities of the licensed project: *Provided, however,* That rate schedules, contracts, agreements, etc., filed pursuant to the provisions of § 35.3 need not be filed additionally under the requirements of this section.

Subchapter E—Approved Forms

##### PART 200—FORMS UNDER RULES OF PRACTICE AND REGULATIONS, FEDERAL POWER ACT

Section 200.51 *Notice of succession in ownership or operation* amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy, together with one additional copy for each interested State commission, to be submitted)" and substituting therefor the following: "(An original and one conformed copy to be submitted)".

Section 200.52 *Certificate of concurrence* amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy, together with one additional copy for each interested State commission, to be submitted)" and substituting therefor the following: "(An original and one conformed copy to be submitted)".

Section 200.53 *Notice of cancellation* amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy, together with one additional copy for each interested State commission, to be submitted)" and substituting therefor the following: "(An original and one conformed copy to be submitted)".

The amendments to the "Rules of Practice and Regulations, with Approved Forms, Effective June 1, 1938" (under the Federal Power Act) adopted, promulgated, and prescribed by this order shall become effective on April 15, 1946; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

(49 Stat. 858; 16 U.S.C. 825h)

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-5258; Filed, Mar. 29, 1946;  
9:28 a. m.]

[Order 129]

##### PROVISIONAL RULES OF PRACTICE AND REGULATIONS AND APPROVED FORMS

###### MISCELLANEOUS AMENDMENTS

MARCH 26, 1946.

The Commission, pursuant to the authority vested in it by the Natural Gas Act, particularly section 16 thereof, and finding such action necessary and appropriate for carrying out the provisions of said act, hereby adopts, promulgates, and prescribes the following amendments to the "Provisional Rules of Practice and Regulations Under the Natural Gas Act, Effective July 11, 1938":

Subchapter B—Provisional Rules of Practice and Regulations, Natural Gas Act

##### PART 54—FILING OF RATE SCHEDULES

Section 54.10 *Number of copies of rate schedules to be supplied* be and it is hereby amended to read as follows:

§ 54.10 *Number of copies of rate schedules to be supplied.* Two copies of every rate schedule, certificate of con-



currence, notice of succession in ownership or operation, and notice of cancellation submitted for filing must be supplied to the Commission. Both copies are to be included in one package, together with a letter of transmittal listing all rate schedules included and addressed to the Federal Power Commission, Washington, D. C. The Commission reserves the right to request such additional copies of any of the above mentioned instruments as it may find necessary or appropriate to carry out the provisions of the Natural Gas Act.

Section 54.20 *Filing* amended by striking out the following at the end of each of paragraphs (a), (b), and (c): "(together with one additional copy for each interested State commission)".

Section 54.30 *Natural-gas companies to furnish the Commission with copies of industrial rate contracts* be and it is hereby amended to read as follows:

§ 54.30 *Natural-gas companies to furnish the Commission with copies of industrial rate contracts.* Every natural-gas company shall currently furnish to the Commission two full and complete copies of every contract and the amendments thereto, presently or hereafter effective, for the direct sale of natural gas to industrial consumers for consumption where such contract involves the sale of 100,000 M. c. f. per year or more, together with all rate schedules, agreements, leases or other writings, tariffs, classifications, services, rules and regulations relative to such sale; *Provided, however,* That when such a presently filed contract is renewed or extended on identical terms except as to the period during which it is to be in effect, the natural-gas company may notify the Commission of such renewal or extension by letter, in duplicate, stating the date of the renewal or extension agreement and the period during which it is to be in effect, instead of furnishing to the Commission two copies of such renewal or extension agreement.

#### Subchapter E—Approved Forms

#### PART 250—NATURAL GAS ACT

Section 250.2 *Certificate of concurrence* amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy to be submitted, together with one additional copy for each interested State commission)" and substituting therefor the following: "(An original and one conformed copy to be submitted)".

Section 250.3 *Notice of cancellation or termination* amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy to be submitted, together with one additional copy for each interested State commission)" and substituting therefor the following: "(An original and one conformed copy to be submitted)".

Section 250.4 *Notice of succession in ownership or operation* amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy to be submitted, together with one additional copy for each interested State commission)".

and substituting therefor the following: "(An original and one conformed copy to be submitted)".

The amendments to the "Provisional Rules of Practice and Regulations Under the Natural Gas Act, with Approved Forms, Effective July 11, 1938" adopted, promulgated, and prescribed by this order shall become effective on April 15, 1946; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

(52 Stat. 830; 15 U.S.C. 717)

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-5257; Filed, Mar. 29, 1946;  
9:28 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs

[T. D. 51430]

#### PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

##### STRAYED ANIMALS

Section 10.74 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 10.74 (c)), is hereby amended by changing the period at the end thereof to a semicolon and adding the following: "*Provided,* That the owner of any such animal shall report its return to the nearest customs officer and hold it for such inspection and treatment as may be deemed necessary by a representative of the Bureau of Animal Industry of the Department of Agriculture and any such animal found not to have been so reported or held shall be subject to seizure and forfeiture pursuant to section 593 (b), Tariff Act of 1930.

(Par. 1606 (c): sec. 201, 46 Stat. 673, sec. 624, 46 Stat. 759; 19 U.S.C. 1201, 1624)

FRANK DOW,  
Acting Commissioner of Customs.

Approved: March 26, 1946.

JOSEPH J. O'CONNELL, JR.,  
Acting Secretary of the Treasury.

[F. R. Doc. 46-5255; Filed, Mar. 29, 1946;  
10:03 a. m.]

## TITLE 24—HOUSING CREDIT

### Chapter V—Federal Housing Administration

#### PART 501—GOVERNING CLASS 1 AND CLASS 2 LOANS

#### PART 502—THE REGULATIONS OF THE FEDERAL HOUSING COMMISSIONER GOV- ERNING CLASS 3 LOANS

##### PROPERTY IMPROVEMENT LOANS

Amendments to the regulations of the Federal Housing Commissioner governing property improvement loans insured under Title I of the National Housing Act.

Sections 501.1 through 501.16, inclusive, of the regulations of the Federal Housing Commissioner governing Property Improvement Loans effective July 1, 1944, are hereby amended by designating them as "Part 501—Governing Class 1 and 2 Loans," and by adding thereto a Part 502<sup>1</sup> consisting of regulations governing Class 3 loans.

Part 501, § 501.6 (c), is hereby amended to read as follows:

##### § 501.6 Credits. \* \* \*

(c) *Outstanding FHA and direct Federal obligations.* The proceeds of a loan shall not be disbursed if the insured has knowledge that the borrower is past due as to either principal or interest with respect to an obligation owing to, or insured by, a department or agency of the Federal Government: *Provided,* That nothing contained herein shall prevent the making of a loan otherwise eligible, even though the borrower is in default under such an obligation by reason of his military service and the approval of the Commissioner is obtained.

Part 501, § 501.12 is hereby amended by striking out paragraphs (b), (c), (d), (e) and (f) and inserting in lieu thereof paragraphs numbered (b), (c) and (d) as follows:

##### § 501.12 Insurance reserve. \* \* \*

(b) *General insurance reserve.* There shall be established for each insured a general insurance reserve equal to 10% of the aggregate amount advanced on all loans originated by it on and after July 1, 1944, pursuant to the provisions of this part and Part 502 of this subchapter.

(c) *Transfer of loans reported for insurance.* The insured shall not assign or otherwise transfer any loan reported for insurance to a transferee not holding a contract of insurance under Title I of the National Housing Act: *Provided,* That nothing contained herein shall be construed to prevent the pledging of such loans as collateral security under a trust agreement, or otherwise, in connection with a bona fide loan transaction.

(d) *Transfer of insurance reserve.* Except in cases involving the transfer of loans sold with recourse or under a guaranty, guarantee or repurchase agreement, the reports required by § 501.10 shall be submitted, indicating the intent of the parties with respect to the transfer of the insurance reserve and unless the approval of the Commissioner is obtained, the insurance reserve shall be transferred as follows:

(1) In cases involving the transfer of notes purchased without recourse, guaranty, guarantee or repurchase agreement: *Provided,* No instalment payment is past due more than one calendar month at the time of purchase, the insurance reserve shall be transferred to the general insurance reserve of the purchasing institution on the basis of 10% of the actual purchase price or net unpaid original advance, whichever is the lesser.

(2) In cases involving the transfer of notes sold with recourse or under a guar-

<sup>1</sup>The regulations in this part supersede the prior regulations with respect to loans made on or after March 28, 1946.



anty, guarantee or repurchase agreement, no insurance reserve will be transferred and no reports will be required.

Part 501, §§ 501.12 (g) and 501.12 (h) are amended by striking out "§§ 501.12 (g)" and "501.12 (h)" and inserting in lieu thereof "§§ 501.12 (e)" and "501.12 (f)."

Sec.	Citation.
502.1	Definitions.
502.2	Eligible borrowers.
502.3	Eligible improvements.
502.4	Credits.
502.5	Eligible mortgages.
502.6	Loan procedure.
502.7	Refinancing.
502.8	Claims.
502.9	Insurance charge.
502.10	Insurance reserve.
502.11	Administrative reports and examination.

AUTHORITY: §§ 502.1 to 502.12, inclusive, issued under 53 Stat. 804, 805, 55 Stat. 364, 56 Stat. 305; 12 U.S.C. and Sup., 1703.

§ 502.1 *Citation.* Part 502 may be cited as "The Regulations of the Federal Housing Commissioner Governing Class 3 Loans".

§ 502.2 *Definitions.* As used in this part:

(a) "Act" means the National Housing Act, as amended.

(b) "Administration" means Federal Housing Administration.

(c) "Commissioner" means the Federal Housing Commissioner or his duly authorized representative.

(d) "Contract of insurance" includes all of the provisions of these Regulations and of the applicable provisions of the act.

(e) "Insured" means any financial institution holding a Contract of Insurance under Title I of the act.

(f) "Loan" and "Class 3 Loan" mean any loan made under this part for the purpose of financing the construction of a new structure to be used in whole or in part for residential purposes.

(g) "Borrower" means one who is an eligible owner or lessee of real property upon which a new structure is to be or has been constructed pursuant to the provisions of the act and this part and who applies for and receives an advance of credit in reliance upon the provisions of the act and this part.

(h) "Instalment payment" includes that deposit to an account or fund which represents the partial repayment of a loan.

(i) "Mortgage" includes a note, bond, deed of trust, or other evidence of indebtedness or security instrument taken in connection with a Class 3 Loan.

(j) "Class 3 structure" means a structure, the construction of which is financed with the proceeds of an eligible Class 3 loan.

§ 502.3 *Eligible borrowers.* A borrower in order to be eligible for a Class 3 loan:

(a) *Eligible owners or lessees.* Shall be (1) the fee simple owner of unencumbered land upon which the new structure is to be built or (2) the lessee of such unencumbered land under a lease from the United States Government for a term of at least six months beyond the ma-

turity of the loan or (3) the lessee of such unencumbered land under a lease having a term of at least forty years to run from the date of the mortgage and providing for annual rental not in excess of 6% of the valuation placed upon the unimproved land by the insured and containing a provision which will entitle the lessee to obtain the fee simple title to such land upon payment at any time after one month's written notice of a sum not in excess of the amount of such annual rental multiplied by 16%, or (4) the lessee of such unencumbered land under a lease for not less than 99 years which is renewable.

(b) *Borrower's equity.* Shall establish to the satisfaction of the insured by certification on the Credit Application provided for in § 502.5 that after the mortgage, deed of trust, or similar instrument has been recorded, the property will be free and clear of all liens other than such mortgage, deed of trust, or similar instrument, except taxes and ground rents not due and payable and special assessments not in arrears, and that in addition to the loan he has an investment in the property in cash, in land, or an interest in the land in an amount equal to 5% of the appraised value of the completed property as determined under § 502.7 (a).

§ 502.4 *Eligible improvements—(a) Purpose.* A loan must be for the purpose of financing the construction of a Class 3 structure and appurtenances thereto which conforms with the minimum construction requirements and property standards prescribed by the Commissioner and which is approved by the Commissioner as to architectural design, physical characteristics, and location, which is within the United States, its territories and possessions, and which is commenced on or after March 28, 1946, in reliance upon the credit facilities afforded by Title I of the National Housing Act as amended.

(b) *Unfinished structures.* The proceeds of a loan shall not be used to finance the cost of completing an unfinished structure, unless the unfinished structure was begun under a Class 3 loan, in which case the total of all such loans shall not exceed \$3,000.

(c) *Architectural services.* The proceeds of a loan may be used to pay for architectural and engineering services and builders' profit in connection with the building of new structures financed in accordance with this part.

(d) *Refinancing existing obligations prohibited.* The proceeds of a loan shall not be used for the purpose of refinancing existing obligations not previously made or reported for insurance pursuant to this part.

§ 502.5 *Credits—(a) Credit application.* Prior to making a loan the insured shall obtain a dated Credit Application executed by the borrower on a form approved by the Commissioner. A separate Credit Application is required for each loan made or mortgage purchased.

(b) *Credit investigation.* The Credit Application, supplemented by such other information as the insured deems necessary, must, in the judgment of the

insured, clearly show the borrower to be solvent, with reasonable ability to pay the obligation and in other respects a reasonable credit risk. If, after the loan is made, an insured who acted in good faith discovers any material misstatements or misuse of the proceeds of the loan by the borrower, dealer, or others, the eligibility of the mortgage for insurance will not be affected. However, the insured shall promptly report such discovery to the Commissioner.

(c) *Reliance on credit application.* An insured acting in good faith may, in the absence of information to the contrary, rely upon all statements of fact made by the borrower which are called for by the borrower's Credit Application.

(d) *Outstanding FHA and direct Federal obligations.* A loan shall not be made if the insured has knowledge that the borrower is past due as to either principal or interest with respect to an obligation owing to, or insured by, any department or agency of the Federal Government: *Provided,* That nothing contained herein shall prevent the making of a loan otherwise eligible, even though the borrower is in default under such an obligation by reason of his military service and the approval of the Commissioner is obtained.

(e) *Past due Title I mortgages at time of purchase.* A mortgage shall not be purchased when any instalment thereon is past due more than fifteen days at the date of purchase except purchases of mortgages under the provisions of § 502.11.

§ 502.6 *Eligible mortgages—(a) Mortgage provisions.* In order to be eligible for insurance a loan shall be secured by collateral security in the form of a duly recorded first mortgage, first deed of trust, or similar instrument which constitutes a first lien upon a fee simple or leasehold interest in the land and buildings, appurtenances, and improvements thereon and which:

(1) Is in a form approved by the Commissioner for use in the jurisdiction in which the property covered by the mortgage, deed of trust, or similar instrument is situated and involves a principal amount not in excess of \$3,000.

(2) Shall provide for interest at such rate as may be agreed upon between the borrower and the insured but in no case shall such interest be in excess of 4½% per annum on the outstanding principal. Interest and principal shall be payable in monthly instalments (or other periodic instalments as provided in subparagraph (11) of this paragraph. In the event interest is payable in instalments corresponding to the income periods shown on the Credit Application, such interest payments may be required in advance for each such instalment period).

(3) May provide for payments by the borrower to the insured on each instalment payment date of an amount equal to the annual insurance charge payable by the insured to the Commissioner, divided by the number of instalment payment dates to elapse prior to the date such charge is due and payable to the Commissioner.

(4) Shall provide for such equal payments by the borrower to the insured on



each instalment payment date as will amortize the ground rents, if any, and the estimated amount of all taxes, special assessments, if any, and fire and other hazard insurance premiums, within a period ending one month prior to the date on which same become delinquent. Such payments shall be held by the insured in a manner satisfactory to the Commissioner for the purpose of paying such ground rents, taxes, assessments, and insurance premiums before the same become delinquent for the benefit and account of the borrower. The mortgage shall also make provision for adjustments in case the estimated amount of such taxes, assessments, and insurance premiums should prove to be more or less than the actual amount thereof so paid by the insured.

(5) Shall contain a privilege of prepayment in full or in amounts equal to one or more instalment payments on the principal that are next due on the mortgage at any interest payment date upon thirty days' prior notice and without premium or penalty.

(6) Shall provide that all instalment payments to be made by the borrower to the insured shall be added together and the aggregate amount thereof shall be applied to the following items in the order set forth.

(i) Insurance charges due the Federal Housing Commissioner.

(ii) Ground rents, taxes, special assessments, and fire and other hazard insurance premiums.

(iii) Interest on the loan.

(iv) Amortization of the principal of the loan.

(7) May provide for a late charge to be paid by the borrower, not to exceed two cents (2¢) for each dollar for each instalment payment more than fifteen days in arrears. No late charge may be accrued in excess of \$5.00. The borrower must be billed for the penalties collected as such, and evidence of such billing must be in the file if claim is made under the Contract of Insurance.

(8) Shall contain a provision for acceleration of maturity at the option of the holder in the event of default.

(9) Shall not have a final maturity in excess of twenty years and five calendar months.

(10) Shall provide for not more than two hundred and forty monthly payments which shall fall due on the first day of a month and the first such payment shall fall due not less than six days nor more than six calendar months from the date of the mortgage, except as provided in subparagraph (11) of this paragraph.

(11) In instances in which the Credit Application of the borrower indicates that not less than 51% of the income of the borrower is derived directly from the sale of agricultural crops, commodities or livestock produced by him, the mortgage may provide, in lieu of monthly instalments, for substantially equal instalment payments corresponding to the income periods shown on the Credit Application. *Provided, however,* That the first payment must be within twelve months of the date of the mortgage and that at least one payment must be made during each calendar year thereafter.

(b) *Borrowers payments.* The borrower must pay to the insured, upon the execution of the mortgage, a sum that will be sufficient to pay premiums on fire and other insurance required by the insured pursuant to the terms of the mortgage, and ground rents, if any, and estimated taxes, special assessments, drainage, and irrigation charges applicable to the period beginning on the date to which such ground rents, taxes, assessments, and charges were last paid and ending on the date of the first periodic payment under the mortgage. The borrower, at such time, may also be required to pay a sum equal to the first annual insurance charge plus an amount equal to one-twelfth ( $\frac{1}{12}$ ) of the annual insurance charge multiplied by the number of months to elapse from the date of the closing of the loan to the date of the first periodic payment, and if the mortgage provides for payment of interest in advance, interest to the due date of the first periodic payment thereunder. The insured may charge the borrower any fees paid to the Administration and an initial service charge in an amount sufficient to reimburse the insured for the cost of closing the transaction, including appraisal fees but in no case shall the amount of such service charge be in excess of 1% of the original principal amount of the loan.

(c) *Recording fees and title costs.* In addition to the charges hereinbefore mentioned the insured may collect from the borrower only recording fees and such costs of title search as are customary in the community.

§ 502.7 *Loan procedure*—(a) *Appraisal.* Prior to beginning construction and to the disbursement of any portion of the proceeds of the loan, the insured shall make an estimate of the value of the property, assuming completion of the proposed improvements, and shall certify to the local insuring office the amount of such appraisal and that the requirements of § 502.3 (b) will be complied with. However, if the insured is an approved mortgagee under the provisions of another title of the act and requests the Commissioner to determine the eligibility of the property for insurance of a mortgage loan under another title of the act, it may accept the value estimate of the Commissioner as its own in the event it subsequently decides to make a loan under the provisions of this part.

(b) *Property approval.* Prior to beginning construction and to the disbursement of any portion of the proceeds of the loan, the insured shall submit to the Commissioner an Application for Property Approval on a form prescribed by the Commissioner. Such application shall be accompanied by the certificate provided for in paragraph (a) of this section, the plans or drawings and specifications, and the insured's check made payable to the Federal Housing Administration in the sum of \$10.00.

(c) *Progress payments.* After obtaining the approval of the application by the Commissioner and prior to disbursing the proceeds of the loan or any portion thereof to the borrower or to a creditor for his account, the insured shall satisfy itself that the value of the work

done and materials on the site at the time of any progress payment is equal to at least 110% of such payment, plus all such progress payments theretofore made. The insured shall not make a disbursement or progress payment to the borrower or to a creditor for his account which would increase the total amount disbursed to a sum in excess of 80 per centum of the proceeds of the loan until it has been notified that the final inspection by the Commissioner has been made and the work approved. No disbursement of any portion of the proceeds shall be made subsequent to receipt of written notice from the Commissioner by the insured to the effect that the structure has not been constructed in accordance with the plans or drawings and specifications and conditions as approved by the Commissioner. Whenever it appears to the satisfaction of the insured that completion of the work will be temporarily delayed due to inclement weather, non-availability of material, or other reason beyond the control of the builder, it may disburse the entire balance remaining of the loan proceeds after deducting and retaining therefrom twice the amount deemed necessary to complete the work. This retained balance shall not be disbursed until after the work has been inspected and approved by the Commissioner.

(d) *Compliance with regulations.* The approval of the Commissioner provided for in this section shall not relieve the insured from compliance with any regulation.

(e) *Substitution of borrowers.* In the event that property covered by a loan is sold to an eligible borrower who assumes and agrees to pay the debt and whose credit is satisfactory to the insured, the seller may be released by the insured from his obligation upon notice thereof to the Commissioner: *Provided,* That if the loan was secured by a first lien upon a fee simple estate, the loan, after the assumption, shall be secured by a first lien on a fee simple interest in the land and building appurtenances and improvements thereon.

(f) *Loan reports.* Loans shall be reported on the proper form to the Federal Housing Administration at Washington, D. C., within thirty-one days of the first disbursement of any of the proceeds of the loan or the date upon which it was purchased. Any loan refinanced in accordance with § 502.8 shall be reported on the proper form within thirty-one days from the date of refinancing. In any case, the Commissioner may in his discretion accept a late report.

§ 502.8 *Refinancing.* New obligations to liquidate loans previously reported for insurance pursuant to Title I of the act made after March 28, 1946, which may or may not include an additional amount advanced will be covered by insurance, *Provided, That:*

(a) They meet the requirements of all applicable regulations;

(b) They are reported to the Commissioner on the proper form within 31 days from date of execution;

(c) They have a maturity not in excess of the maximum permitted under this part from the date of the refinancing



obligation, but not to exceed thirty years from the date of the original mortgage.

(d) If the refinanced obligation was secured by a first lien upon a fee simple estate, the new obligation shall be secured by a first lien upon a fee simple interest in the land and building, appurtenances and improvements thereon.

**§ 502.9 Claims.** Claim for reimbursement for loss on a qualified loan shall be made as provided in this section.

(a) *Default reports.* If the borrower fails to make any payment or to perform any other covenant or obligation under the mortgage and such failure continues for a period of thirty (30) days, the mortgage shall be considered in default and the insured shall within sixty (60) days thereafter give notice in writing to the Commissioner of such default, and similar notices each sixty (60) days until such default is cured and notice thereof is given to the Commissioner.

(b) *Foreclosure or acquisition.* At any time within one year from the date of default the insured, at its election, shall either:

(1) Acquire by means other than foreclosure of the mortgage, possession of, and title to, the mortgaged property; or

(2) Commence foreclosure of the mortgage: *Provided*, That if the laws of the State in which the mortgaged property is situated do not permit the commencement of such foreclosure within such period of time, the insured shall commence such foreclosure within sixty (60) days after the expiration of the time during which such foreclosure is prohibited by such laws.

(3) Nothing herein contained shall be construed so as to prevent the insured, with the written consent of the Commissioner, from taking action at a later date than herein specified.

(4) If at any time during default the borrower is a "person in military service", as such term is defined in the Soldiers' and Sailors' Civil Relief Act of 1940, the period during which he is in such service shall be excluded in computing the one year period within which the insured shall commence foreclosure or acquire the property by other means as provided in this section.

(5) If the borrower is a person in military service as defined in such act, the insured may, by written agreement with the borrower, postpone for the period of military service, and three months thereafter, that part of the monthly payment, or any part thereof which represents amortization of principal, provided such agreement contains a provision for the resumption of monthly payments thereafter in amounts which will completely amortize the mortgage debt within its original maturity. Such agreement, however, will in no way affect the amount of the annual insurance charge which will continue to be calculated in accordance with the provisions of § 502.10. (For the purpose of this section, the date of default shall be considered as thirty (30) days after (a) the first uncorrected failure to perform a covenant or obligation, or (b) the first failure to make a monthly payment which subsequent payments by the borrower are insufficient to cover when applied to the overdue monthly

payments in the order in which they became due.)

(c) *Reinstatement.* If after default and prior to the completion of foreclosure proceedings the borrower shall pay to the insured all monthly payments in default and such expenses as the insured shall have incurred in connection with the foreclosure proceedings, no claim for reimbursement under the Contract of Insurance can be made and the insurance shall continue, as if such default had not occurred.

(d) *Filing claim.* If the default is not cured as aforesaid, and if the insured has otherwise complied with the provisions of this section, it may at any time within seven months or such further time as may be approved by the Commissioner, after acquiring title to and possession of the mortgaged property, tender to the Commissioner possession thereof, and a deed containing a covenant which warrants against the acts of the insured and all claiming by, through, or under it, conveying good merchantable title to such property undamaged by fire, earthquake, flood, or tornado. The Commissioner shall promptly accept conveyance of such property and, subject to § 502.11, make payment of loss sustained by the insured as follows:

(1) The net unpaid balance of advance actually made;

(2) Uncollected earned interest to the date of default and interest at the rate of 3% per annum from the date of default to the date the claim is approved for payment.

(3) An amount on account of the cost of foreclosure or of acquiring the property by other means actually paid by the insured and approved by the Commissioner not in excess of two-thirds of such cost or seventy-five (\$75) dollars, whichever is the greater.

(4) The amount of all payments which have been made by the insured for taxes, ground rents, special assessments, and water rates which are liens prior to the mortgage, and fire and hazard insurance premiums.

Any amount received by the insured from any source relating to the property on account of rent or other income, after deducting reasonable expenses incurred in handling the property, shall be deducted from the sum of the foregoing.

(e) *Evidence of title.* Evidence of title of the following types will be satisfactory to the Commissioner.

(1) A fee or owner's policy of title insurance, a guaranty or guarantee of title, or a certificate of title, issued by a title company, duly authorized by law and qualified by experience to issue such; or

(2) An abstract of title prepared by an abstract company or individual engaged in the business of preparing abstracts of title and accompanied by a legal opinion as to the quality of such title signed by an attorney at law experienced in examination of titles; or

(3) A Torrens or similar title certificate; or

(4) Evidence of title conforming to the standards of a supervising branch of the Government of the United States or of any State or Territory thereof.

Such evidence of title shall be furnished without cost to the Commissioner

and shall be executed as of a date to include the recordation of the deed to the Commissioner, and shall show that, according to the public records, there are not, at such date, any outstanding prior liens, except for ground rents and taxes not due and payable and special assessments not in arrears. If the title and title evidence are such as to be acceptable to prudent lending institutions and leading attorneys generally in the community in which the property is situated, such title and title evidence will be satisfactory to the Commissioner and will be considered by him as good and merchantable.

(f) *Waiver of title objections.* The Commissioner will not object to the title by reason of the following matters: *Provided*, They are not such as to impair the value of the property for residence purposes:

(1) Customary easements for public utilities, party walls, driveways and other purposes; customary building or use restrictions for breach of which there is no reversion and which have not been violated to a material extent;

(2) Such restrictions when coupled with a reversionary clause, provided there has been no violation prior to the date of the deed to the Commissioner;

(3) Slight encroachments by adjoining improvements;

(4) Outstanding oil, water, or mineral rights, which do not impair the value of the property for residence purposes, or which are customarily waived by prudent lending institutions and leading attorneys generally in the community.

(g) *Sale and claim for deficiency.* In lieu of the procedure provided for in paragraphs (d) and (e) of this section, the insured, after acquiring title to the property as provided in this part, may, at its option and with the approval of the Commissioner, sell the same in the open market to a bona fide third party at any time within six months from the date of such acquisition of the property, or within such further time as may be approved by the Commissioner. The net amount received at such sale, whether in cash or deferred payments, shall be credited on the obligation and claim may be filed with the Commissioner for the balance. Payment of loss sustained by the insured shall be made as follows:

(1) The net unpaid balance of the advance actually made. In calculating the net unpaid amount, the net sale price must be included as a credit.

(2) Uncollected earned interest to the date of default and interest at the rate of 3% per annum from the date of default to the date the claim is approved for payment.

(3) An amount on account of the cost of foreclosure or of acquiring the property by other means actually paid by the insured and approved by the Commissioner not in excess of two-thirds of such cost or seventy-five (\$75) dollars, whichever is the greater.

(4) The amount of all payments which have been made by the insured for taxes, ground rents, special assessments, water rates which are liens prior to the mortgage, fire and hazard insurance premi-



ums, and cost of maintenance and repair of the property. (Claim for cost of maintenance and repair shall not exceed 10% of the net unpaid balance of the advance actually made unless prior approval of the Commissioner has been obtained.)

Any amount received by the insured from any source relating to the property on account of rent or other income shall be deducted from the sum of the items referred to in this paragraph.

**§ 502.10 Insurance charge—(a) Rate.** The insured shall pay to the Administration an annual insurance charge equal to one-half of one per centum of the original principal amount of any loans reported for insurance.

(b) *When payable.* The first annual insurance charge so calculated shall be paid by check or draft to the order of the Federal Housing Administration within 25 days after the date the Administration acknowledges receipt to the insured of the report of any such loan and the next and each succeeding annual insurance charge shall be paid in advance upon the anniversary of the first day of the month following the date of the mortgage until the loan is paid in full or claim is filed with the Commissioner under the Contract of Insurance.

(c) *Mortgages paid in full.* In the event the loan is paid in full prior to maturity or is foreclosed or the possession of and title to the property is otherwise acquired by the insured, the insured shall within 30 days thereafter notify the Commissioner of the date of prepayment, foreclosure, or acquisition, after which its obligation to pay future annual insurance charges in connection therewith shall cease but it shall not be entitled to a refund of any portion of an annual insurance charge previously paid or a reduction in the amount of any insurance charge, which fell due prior to such prepayment, foreclosure, or acquisition of the property.

(d) *Refinancing.* When the proceeds of any loan are used to liquidate a loan previously reported for insurance, there shall be deducted from the amount of the insurance charge payable the first year the pro rata share of the annual insurance charge paid on the original obligation.

(e) *Transfer of mortgages.* An insured who purchases a mortgage previously reported for insurance shall pay each succeeding annual insurance charge as provided in paragraph (b) of this section. Any adjustment of the insurance charge paid in advance by the seller shall be made between the purchaser and the seller.

(f) *Payment of insurance charge.* Subject to the other provisions of this part, the insurance granted under Title I of the National Housing Act, as amended, shall be effective with respect to any loan from the date of the report thereof to the Commissioner: *Provided*, That the insurance charge with respect to such loan is paid as required by this section.

**§ 502.11 Insurance reserve—(a) Legal limit.** Subject to the limitation on the total liability which may be outstanding at any time as stipulated in

section 2 of Title I of the act, the Commissioner, in accordance with § 502.9 (d) and (g), will reimburse any insured for losses sustained by it up to a total aggregate amount equal to 10% of the total amount advanced on all eligible loans made by it after July 1, 1944, and reported for insurance during the time its Contract of Insurance is in force.

(b) *General insurance reserve.* There shall be established for each insured a general insurance reserve equal to 10% of the aggregate amount advanced on all loans originated by it on and after July 1, 1944, pursuant to the provisions of both Part 501 of this subchapter and this part.

(c) *Transfer of loans reported for insurance.* The insured shall not assign or otherwise transfer any loan reported for insurance to a transferee not holding a Contract of Insurance under Title I of the National Housing Act, *Provided*, That nothing contained herein shall be construed to prevent the pledging of such loans as collateral security under a trust agreement, or otherwise, in connection with a bona fide loan transaction.

(d) *Transfer of insurance reserve.* Except in cases involving the transfer of loans sold with recourse or under a guaranty, guarantee or repurchase agreement, the reports required by § 502.7 (f) shall be submitted, indicating the intent of the parties with respect to the transfer of the insurance reserve and unless the approval of the Commissioner is obtained, the insurance reserve shall be transferred as follows:

(1) In cases involving the transfer of notes purchased without recourse, guaranty, guarantee or repurchase agreement, provided no instalment payment is past due more than one calendar month at the time of purchase, the insurance reserve shall be transferred to the general insurance reserve of the purchasing institution on the basis of 10% of the actual purchase price or net unpaid original advance, whichever is the lesser.

(2) In cases involving the transfer of notes sold with recourse or under a guaranty, guarantee or repurchase agreement, no insurance reserve will be transferred and no reports will be required.

(e) *FHA recovery shall not affect reserve.* Amounts which may be salvaged by the Commissioner with respect to a loan in connection with which an insured has been reimbursed under its Contract of Insurance shall not be added to the insurance reserve remaining to the credit of such insured.

(f) *Conversion of mortgages.* If at any time a Class 3 loan previously reported for insurance is converted into an insured mortgage under the provisions of another title of the act, upon report of the conversion to the Commissioner, there shall be deducted from the insurance reserve outstanding to the credit of the insured an amount equal to ten per cent of the net unpaid principal of the loan as of the date of the conversion.

**§ 502.12 Administrative reports and examination.** The Commissioner, in his discretion, may at any time or from time to time call for a report from any institution on the delinquency status of the

obligations held by such institution and reported for insurance, or call for such reports as he may deem to be necessary in connection with this part, or he or his authorized representative may inspect the books or accounts of the lending institution as they pertain to the loans reported for insurance.

The amendments contained herein are effective as to all loans made on or after March 28, 1946, and shall have the same force and effect as if included in and made a part of each Contract of Insurance.

Issued at Washington, D. C., March 28, 1946.

RAYMOND M. FOLEY,  
Federal Housing Commissioner.

[F. R. Doc. 46-5314; Filed, Mar. 29, 1946; 11:20 a. m.]

## TITLE 29—LABOR

### Chapter VI—National Wage Stabilization Board

[General Wage Approval 6]

#### PART 805—GENERAL WAGE APPROVALS

##### WEST COAST LUMBER INDUSTRY

**§ 805.6 General wage approvals for the West Coast lumber industry.** (a) Pursuant to section 3 (a) of Executive Order 9697 and sections 303 and 308 (a) of the Supplementary Wage and Salary Regulations of the Office of Economic Stabilization issued March 8, 1946, the National Wage Stabilization Board finds that during the period between August 17, 1945 and February 14, 1946 a general pattern of wage adjustments was established in the lumber industry, as hereinafter defined, in the States of Oregon, Washington, California, Idaho and Montana, to the extent of a general increase to all employees of 15¢ per hour over and above the straight-time rates such employees were receiving in that industry on August 17, 1945.

(b) For purposes of this approval, the lumber industry is limited to those operations under the jurisdiction of the West Coast Lumber Commission, as follows:

Sawmills, logging camps, plywood plants, box factories, tie mills, sash and door plants, stock and detail shops, shingle mills, cooperage plants, planing mills, box shook plants and establishments engaged in veneer milling or the production of poles or piling.

(c) Any wage or salary increase granted to employees within the jurisdiction of the National Wage Stabilization Board by an employer in the lumber industry, as defined in paragraph (b), in the States of Oregon, Washington, California, Idaho and Montana, shall be deemed approved within the meaning of section 3 (a) of Executive Order 9697, and sections 301, 303 and 308 of the Supplementary Wage and Salary Regulations of the Office of Economic Stabilization, issued March 8, 1946, to the extent that such increase does not exceed 15¢ per hour over and above the straight-time rates such em-



ployees were receiving on August 17, 1945.

(d) An employer who seeks an adjustment in the price ceiling for his product or products based upon the wage or salary adjustments herein approved shall indicate to the Office of Price Administration in any price relief application that the adjustments have been made or agreed upon pursuant to this section.

(e) On request of any employer or collective bargaining representative involved, accompanied by pertinent factual information, the Twelfth Regional Wage Stabilization Board, located in Seattle, Washington, will issue rulings as to whether any specified plant or plants come within the terms of this section.

Approved by the National Wage Stabilization Board March 28, 1946.

B. M. JOFFE,  
Acting Executive Director.

[F. R. Doc. 46-5313; Filed, Mar. 29, 1946;  
11:56 a. m.]

### TITLE 30—MINERAL RESOURCES

#### Chapter VI—Solid Fuels Administration for War

##### PART 602—GENERAL ORDERS AND DIRECTIVES DELIVERIES OF BITUMINOUS COAL BY RETAIL DEALERS, LAKE AND TIDEWATER DOCK OPERATORS

The failure of the mine workers and mine operators to negotiate a contract threatens a work stoppage at the bituminous coal mines. To restrict the use of existing limited supplies of bituminous coal to essential industrial and civilian requirements, it is necessary to place emergency restrictions upon the amount of bituminous coal that retail dealers, lake and tidewater dock operators may deliver. Accordingly, pursuant to SFAW Regulation No. 1, as amended, the following direction is issued:

1. Every retail dealer and every lake and tidewater dock operator is prohibited from delivering any bituminous coal, other than coal produced in Districts 5 and 16, except to (a) a gas plant which certifies in writing that it has less than a 10-days' supply; (b) a hospital that certifies in writing that it has less than a 10-days' supply; (c) any domestic consumer who certifies in writing that he has less than a 10-days' supply; (d) an industrial consumer that certifies in writing that it has less than a 5-days' supply; and (e) any person upon specific written direction of the appropriate SFAW Area Distribution Manager.

2. Each retail dealer and each lake and tidewater dock operator making deliveries of bituminous coal to a consumer in accordance with paragraph 1 above is prohibited from delivering an amount of bituminous coal in excess of one ton or that amount which will enable the consumer to meet his minimum requirements for the number of days specified in paragraph 1, whichever amount is larger. "Days' supply" is that amount of coal which a consumer reasonably expects to consume in each day over a period of

10 days from the date of delivery of coal pursuant to this direction. The certifications required by paragraph 1 shall be made to and kept by the retail dealer or dock operator supplying the coal and may be inspected by any authorized representative of SFAW.

3. Every consumer is prohibited from receiving any bituminous coal which a retail dealer or lake or tidewater dock operator is not permitted to deliver to him pursuant to paragraphs 1 or 2 above.

4. Each SFAW Area Distribution Manager or Regional Representative is authorized to modify the limitations imposed by this direction within the area of his jurisdiction. Mr. W. G. Caperton, Solid Fuels Administration for War, Washington 25, D. C., is authorized to modify the limitations imposed by this direction with respect to any retail dealer or dock operator located west of the Mississippi River.

This direction shall become effective 12:01 a. m. April 1, 1946 and remain in effect until further notice.

Issued this 28th day of March 1946.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176, 58 Stat. 827 and 59 Stat. 658)

J. A. KRUG,  
Solid Fuels Administrator for War.

[F. R. Doc. 46-5253; Filed, Mar. 29, 1946;  
9:18 a. m.]

##### PART 602—GENERAL ORDERS AND DIRECTIVES

##### BITUMINOUS COAL PRODUCERS EXCEPT THOSE IN DISTRICTS 5 AND 16

Pursuant to SFAW Regulation No. 1, as amended, after 12:01 a. m. March 29, 1946, you are directed to hold unbilled pending further instructions from SFAW a number of loaded cars equivalent to not less than one full day's production of bituminous coal in the proportion of sizes normally produced. Such cars shall be held on mine or assigned tracks as far as practicable and consistent with continued full operation of the mine, and the balance, if any, up to one full day's production shall be held at the scales or other facilities made available by the railroad. In no event shall you ship any coal after 12:01 a. m. March 31 without permission of SFAW. The Association of American Railroads is increasing no-bill rule to 100 percent today. This direction supersedes SFAW Regulation No. 27 and any inconsistent provisions of any direction issued prior to this date. Report by wire to your Area Distribution Manager on or before April 1, 1946, number of cars by sizes held at each mine pursuant to this direction. Producers in Districts 7, 12, 14, 15 and 17 through 23 shall report to Mr. W. G. Caperton, Solid Fuels Administration for War, Washington 25, D. C.

Issued this 28th day of March 1946.

J. A. KRUG,  
Solid Fuels Administrator  
for War.

[F. R. Doc. 46-5254; Filed, Mar. 29, 1946;  
9:18 a. m.]

### TITLE 32—NATIONAL DEFENSE

#### Chapter VIII—Office of International Trade, Department of Commerce

##### Subchapter B—Export Control

[Amdt. 162]

##### PART 801—GENERAL REGULATIONS

##### PROHIBITED EXPORTATIONS, MINING MACHINERY

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The list of commodities set forth in paragraph (b) is amended by deleting therefrom the following commodities:

Dept. of Commerce Schedule B No.	Commodity
733900-----	Mining machinery: Underground loaders other than underground coal loaders, electric.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9261; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: March 27, 1946.

JOHN C. BORTON,  
Director,  
Requirements and Supply Branch.  
[F. R. Doc. 46-5259; Filed, Mar. 29, 1946;  
10:49 a. m.]

[Amdt. 163]

##### PART 812—LIMITED PRODUCTION LICENSES FOR PASSENGER AUTOMOBILES AND TRUCKS

##### PERIOD OF VALIDITY

Section 812.3 *Period of validity* is amended by striking out the date "April 30, 1946" and substituting in lieu thereof the date "July 31, 1946".

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9261; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: March 28, 1946.

JOHN C. BORTON,  
Director,  
Requirements and Supply Branch.  
[F. R. Doc. 46-5260; Filed, Mar. 29, 1946;  
10:49 a. m.]

#### Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.



PART 903—DELEGATIONS OF AUTHORITY  
[Directive 42, as Amended Mar. 27, 1946]

VETERANS' EMERGENCY HOUSING PROGRAM

§ 903.155 *Directive 42*—(a) *Purpose of this directive.* This directive delegates to the National Housing Agency authority to approve applications for priorities assistance under Priorities Regulation 33 (HH ratings and the right to place certified orders, generally referred to as "HH ratings") or for authorization under Veterans' Housing Program Order 1. It describes the kinds of action which the National Housing Agency will take with respect to these applications and requires certain information and reports from the National Housing Agency. Under Civilian Production Administration Veterans' Housing Program Order 1, approval of a Form CPA-4386 constitutes authorization under that order for the construction, alterations or repairs covered by the CPA-4386.

(b) *Delegation of authority.* The National Housing Agency is hereby authorized to take the following actions in its own name on behalf of the Civilian Production Administration:

(1) To approve under Priorities Regulation 33 applications on Form CPA-4386 which it determines qualify under that regulation, and to assign the HH rating for the dwellings covered by the application as approved.

(2) To approve under Priorities Regulation 33 supplemental applications on Form CPA-4387 which it determines qualify under that regulation, and to assign the HH rating to the dwellings covered by the application as approved.

(3) To grant requests for amendments of approved applications in the following respects:

(i) As to the plans and specifications of the proposed dwellings.

(ii) As to the time by which construction of the proposed dwellings is to be started (such an amendment may be approved even if requested after the expiration date of the original application).

(iii) As to the location of the proposed dwellings.

(iv) As to the sales price, cost or rents for the dwellings.

(v) As to the number of units covered by an application.

(4) To approve under Priorities Regulation 33 to the extent permitted by paragraph (b) (1) above, applications on Form CPA-4386 superseding previous approvals where the former builder wishes to have the new applicant replace him as builder.

(5) To deny applications under Priorities Regulation 33 which it determines do not meet the requirements of that regulation.

(6) To require builders to whom HH ratings have been assigned and owners of housing accommodations built or converted under the Veterans' Emergency

Housing Program to give information and file reports concerning the use of HH ratings and other facts necessary to determine the status of the program and the effect of it upon the supply of and demand for building materials and the enforcement of the program (subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942).

(7) To investigate any alleged violations of Priorities Regulation 33 with respect to preferences for veterans or the sales price, cost, rent, occupancy or disposition of dwellings, and to refer violations to the Civilian Production Administration for appropriate administrative or criminal action.

(c) *Appeals and exceptions.* The National Housing Agency may, in its discretion, grant appeals from the provisions of Priorities Regulation 33, except appeals from the provisions of paragraph (d), Schedule A and the directions to the regulation. The National Housing Agency may also, in its discretion, grant priorities assistance under the regulation or authorization under Veterans' Housing Program Order 1 for housing accommodations covered by the regulation, even though the application fails in some respect to satisfy the requirements of the regulation.

(d) *Instructions and procedures.* In exercising the authority given by this directive the National Housing Agency shall be governed by Priorities Regulation 33 as amended from time to time and by any written instructions which may be given by the Administrator, Deputy Administrator or Director of the Bureau of Reconversion Priorities of the Civilian Production Administration. All general instructions governing the assignment of preference ratings and other actions taken under this delegation of authority issued by the National Housing Agency or by the Federal Housing Administration shall be submitted to the Civilian Production Administration for prior approval.

(e) *Reports to the Civilian Production Administration.* The National Housing Agency shall furnish the Civilian Production Administration with copies of approved applications and with such reports and other information as may be requested by the Civilian Production Administration for the purpose of determining the status of the program and the effect of it upon the supply of and demand for critical building materials, and the allocation thereof.

(f) *Redelegations.* The authority delegated by this directive to the National Housing Agency may be redelegated by it to its authorized officials or to any constituent unit of the National Housing Agency which may in turn redelegate to its authorized officials or to any department of the United States Government which may in turn redelegate to its authorized officials.

Issued this 27th day of March 1946.

J. D. SMALL,  
Civilian Production Administrator.

[F. R. Doc. 46-5128; Filed, Mar. 27, 1946;  
3:25 p. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[MPR 590, Amdt. 2]

WHOLESALE PRICES FOR SPECIFIED CONSUMER GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 590 is amended in the following respects:

1. The first sentence of section 3a is amended to read as follows: "Regardless of any contrary provision contained in this regulation, or any other regulation, or in any order issued under this regulation or any other regulation, a wholesaler of any article covered by this regulation may adopt as his own the manufacturer's ceiling prices (including all permitted adjustments) for sales to the same classes of purchasers."

2. Section 4 (a) (2) is amended to read as follows:

(2) For sales on and after December 28, 1945, the price found by applying to your "net cost" your "category markup" for sales to that class of purchaser. "Category markup" is the percentage markup factor which you compute on the markup chart described in section 12 and filed with the Office of Price Administration, and "net cost" for this purpose is defined below in section 9.

3. Section 7 (a) (2) is amended to read as follows:

(2) For sales on and after December 28, 1945, the price found by applying to your "net cost" your "category markup" for sales to that class of purchaser. "Category markup" is the percentage markup factor which you compute on the markup chart described in section 12 and filed with the Office of Price Administration, and "net cost" for this purpose is defined below in section 9.

4. A new section 13 (c) is added to read as follows:

(c) If a particular category markup was erroneously computed on the markup chart filed with the Office of Price Administration, the maximum prices for all sales and deliveries on and after September 18, 1945 are those determined by the use of the category markup correctly computed on the markup chart. Where there has been an error in the computation of a category markup and the wholesaler although notified of the error, fails or refuses to file a revised markup chart on which the category markup is correctly computed, the Office of Price Administration may upon its own motion issue an order under this section establishing the category markup applicable to all of the wholesaler's sales and deliveries.



eries on and after September 18, 1945 of the articles in the particular category.

5. Section 23 is amended to read as follows:

**Sec. 23. Delegation of authority.** Any Regional Administrator may issue orders fixing ceiling prices or a method of determining ceiling prices upon the receipt of applications under section 6 of this regulation; adjusting or establishing category markups in accordance with section 13 of this regulation; and establishing, correcting, revising, or revoking ceiling prices or category markups in accordance with sections 19 (b), 19 (c), and 19 (d) of this regulation.

6. The effective date provision of amendment No. 1 to Maximum Price Regulations No. 590 is amended to read as follows:

This amendment shall become effective February 18, 1946, except that the revocation of section 27 (a) (1) shall be effective as of December 28, 1945.

This amendment shall become effective April 2, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5224; Filed, Mar. 28, 1946;  
4:41 p. m.]

#### PART 1305—ADMINISTRATION

[SO 154]

#### ADJUSTED MAXIMUM PRICES FOR CERTAIN KNITTED GARMENTS

A statement of the considerations involved in the issuance of this supplementary order issued simultaneously herewith has been filed with the Division of the Federal Register.

**SECTION 1. What this order does.** This supplementary order provides a method for the adjustment of manufacturers' ceiling prices for specified knitted commodities subject to base period "freeze" prices by the addition of certain labor and material costs increases to such ceiling prices.

**Sec. 2. Scope of this order—(a) What commodities are covered.** This order applies to the commodities listed in Column 1 of Appendix A whose ceiling prices under the appropriate individual price regulations do not exceed the net "cut-off" price listed for each commodity in Column 2 of Appendix A provided that the commodity for which an adjustment is being sought is "the same" as one of the manufacturer's base period commodities. (Section 6 (a) of this order explains when two commodities are "the same.") A "base period commodity" is one for which the ceiling price is established under either § 1499.2 (a) (1) of the General Maximum Price Regulation<sup>1</sup> or § 1389.302 (a) of Maximum Price Regulation 221.<sup>2</sup>

**Example 1:** During March 1942 a manufacturer delivered Style 476 athletic shirt at

\$3.25 per dozen. He now produces Style 497 athletic shirt which cannot be priced under section 1499.2 (a) (1) of the General Maximum Price Regulation but can be priced under § 1499.2 (a) (2) since it is similar to his March 1942 Style 476. Therefore, although he may establish a ceiling price of \$3.25 per dozen for his Style 497 under § 1499.2 (a) (2) of the General Maximum Price Regulation, since it is similar to his Style 476 delivered during March 1942, he may not adjust his \$3.25 ceiling price for Style 497 under this order, since it is not "the same" (as defined in this order) as one of his base period commodities.

**Example 2:** A manufacturer delivered men's lightweight knit union suits (covered by the General Maximum Price Regulation) during March 1942, but neither delivered nor offered for delivery men's athletic shirts during that month. He now produces men's athletic shirts whose ceiling price he establishes under § 1499.2 (b) of the General Maximum Price Regulation, by reference to a similar athletic shirt delivered during March 1942 by his most closely competitive seller of the same class. He may not adjust his ceiling price for these athletic shirts under this order since they are not "the same" as one of his base period commodities.

**Example 3:** A manufacturer of men's "winterweight" knitted drawers (covered by Maximum Price Regulation 221) sold Style 576 for \$4.75 per dozen pursuant to a written contract on January 4, 1942. He now wishes to sell drawers identical to his Style 576. Under this order he may adjust his ceiling price of \$4.75 per dozen since the drawers are "the same" as one of his base period commodities.

(b) **What sales are covered.** This order covers all manufacturers' sales of the commodities described in (a).

A "manufacturer's sale" is any sale of a commodity by the person who fabricated or processed the commodity or for whom it was fabricated or processed by a contractor or agent from basic materials owned or otherwise furnished by the principal. Manufacturers' sales includes sales to ultimate consumers as well as to resellers.

**SEC. 3. Adjustment of maximum prices.** On and after April 3, 1946, any commodity covered by this order may be sold or delivered at the adjusted maximum price described in this section. The adjusted maximum price under this section is found as follows:

**Step 1.** Determine the maximum price of the commodity under the appropriate maximum price regulation.

**Step 2.** Determine the type of yarn ("type of yarn" is defined in section 6 (b) below) and number of pounds of such yarn consumed in the commodity being priced ("number of pounds consumed" is defined in section 6 (c) below).

**Step 3.** Multiply the number of pounds of yarn found in Step 2 by the cost increase (in dollars and cents) listed in Column 2 of Appendix B for the appropriate type of yarn.

**Step 4.** Determine the amount (in dollars and cents) by which the cost of direct labor (at legal wage rates as defined in section 6 (d) below) on the commodity has increased since January 1, 1942. "Direct labor" includes only operations performed directly on the commodity and necessary to make it into a finished product. It does not include supervisory or administrative labor or other overhead. This increase in direct labor cost may be found as follows:

(a) Where labor is paid on a "piece-work" basis, subtract the piece rate paid by the seller in January 1942 for each

direct labor operation on the commodity from the current legal piece rate for such operation. The sum of the amounts so found for all operations on the commodity being priced is the increase in piece rate direct labor on the commodity.

(b) Where labor is paid on a "time" basis (hourly, daily, weekly or monthly rate), find the length of time consumed in performance of each direct labor operation on the commodity and subtract the amount paid by the seller in January 1942 for such period of time from the current legal wage paid for the same period of time. The sum of the amounts found for all operations on the commodity being priced is the increase in time rate direct labor on the commodity.

**Step 5.** Add the amounts found in Step 3 and Step 4 to the maximum price found in Step 1.

**Step 6.** The adjusted maximum price of the commodity is the total found in Step 5 or the price listed for the commodity in Column 2 of Appendix A, whichever price is lower.

**NOTE:** In figuring his adjusted maximum price under this section, a seller may not use, as the maximum price found under Step 1, any adjusted ceiling price established under Amendments 5 or 6 to Maximum Price Regulation 221 or SO 137<sup>3</sup> or SO 139.<sup>4</sup>

**SEC. 4. Records and reports—(a) Records.** The records required by this section must be maintained for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

Every person who makes a sale covered by this order must prepare and maintain the records required by the maximum price regulation under which his ceiling prices were established prior to the effective date of this order, except that the adjusted maximum price established under this order shall be substituted for the original maximum price in all records of deliveries made or maximum prices established after the effective date of this order.

In addition, he must keep a copy of the report filed under (b) below.

(b) **Reports.** No person may deliver any commodity at an adjusted maximum price established under this order until he has either received written approval of his adjusted maximum price from the Office of Price Administration or until the twentieth day after he has mailed to the Apparel Price Branch, Office of Price Administration, Washington 25, D. C., the report required by this paragraph and all additional information which may be requested by the Office of Price Administration, whichever date is earlier. Under this paragraph the seller must file two copies of a report signed by an owner, officer or principal and containing the following information:

- (1) Date of report.
- (2) Seller's name and business address.
- (3) A list of the commodities whose maximum prices he wishes to adjust under this order, showing each style of each commodity separately.
- (4) A description of each commodity listed in (3), including type of yarn and

<sup>1</sup> 9 F.R. 1385, 5169, 6106, 8150, 10195, 11274.  
<sup>2</sup> 7 F.R. 7318, 9615, 10719; 8 F.R. 4514, 13847;  
9 F.R. 5174, 11758; 10 F.R. 8659; 11 F.R. 1438.

<sup>3</sup> 10 F.R. 12986, 13636, 14900; 11 F.R. 1102.  
<sup>4</sup> 10 F.R. 14143, 11 F.R. 675, 1466.



number of pounds of yarn consumed in each style.

(5) A description, including type of yarn and number of pounds of yarn consumed, and an identification (by style number, if possible) of the seller's base period commodity which was the same as each style listed in (3).

(6) The maximum price of each style listed in (3) in effect immediately prior to the effective date of this order and without adjustment of such maximum price under Amendment 5 or 6 to Maximum Price Regulation 221 or SO 137 or SO 139. State also the regulation or order under which such maximum price is established.

(7) The amount (in dollars and cents) by which the cost of direct labor (at legal wage rates) on each style listed in (3) has increased between January 1, 1942 and the date of the report.

(8) The amount of yarn cost increase permitted by this order for each style

listed in (3) (amount shown in Column 2 of Appendix B for the appropriate type of yarn multiplied by the number of pounds of yarn listed for the style in (3)).

(9) Adjusted maximum price under this order of each style listed in (3) (either the maximum price shown in (6) plus amount shown in (7) plus amount shown in (8) or the price listed for the commodity in Column 2 of Appendix A, whichever price is lower).

(10) A list of all legal wage increases made by the seller to his employees between January 1, 1942 and the date of the report, and, as to each such increase, the date such increase went into effect and the authority under which it was made (e. g., Order of National or Regional War Labor Board or Wage Stabilization Board, arbitration award, etc.).

(c) *Form of report.* The report required by this section must be made in the following form.<sup>\*</sup>

Report under section 4 (b) of SO 154

Date.....  
Name.....  
Address.....

(1) Commodity	(2) Description (including style number, type of yarn and number of pounds)	(3) Description of base period commodity (including style number, type of yarn and number of pounds)	(4) Unadjusted maximum price including regulation and section under which established	(5) Direct labor cost increase	(6) Yarn cost increase (amount shown in Column 2 of Appendix B times number of pounds in Column (2) of this form)	(7) Adjusted maximum price (4) + (5) + (6) or price listed in Column 2 Appendix A, whichever is lower

Legal wage increases since January 1, 1942

(Signed).....  
(By).....

(d) *Approval or modification of reported adjusted maximum prices—(1) Approval.* The adjusted maximum prices reported under this section may be expressly approved in writing by the Office of Price Administration, or, if no order disapproving or modifying such adjusted prices has been issued within 20 days after the mailing of the report required by (b), above, and all additional information which may be requested by the Office of Price Administration, adjusted maximum prices reported are deemed to have been approved until issuance of an order disapproving or modifying them.

(2) *Modification or disapproval.* The Office of Price Administration may, at any time, disapprove or modify the adjusted maximum prices reported under (b) above if the adjustment has not been properly made in accordance with the provisions of this order.

SEC. 5. *Relation to other maximum price regulations—(a) Regulations supplemented.* This order supplements the provisions of the following regulations only:

- (1) General Maximum Price Regulation
- (2) Maximum Price Regulation 221

(b) *Regulations not affected.* Although the ceiling prices of commodities eligible for adjustment under Amend-

ments 5 and 6 of Maximum Price Regulation 221, SO 137 and SO 139 may be adjusted under this order, maximum prices as adjusted under those regulations or orders may not be further adjusted under this order. That is, a commodity may be sold or delivered at an adjusted maximum price established under one of those orders or under this order, whichever price is higher, but the adjustment permitted by this order may not be added to the adjusted maximum price under Amendments 5 or 6 of Maximum Price Regulation 221, SO 137 or SO 139.

SEC. 6. *Definitions.* Unless the context otherwise requires or unless specifically provided herein, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(a) *"The same commodity".* For purposes of this order a commodity currently being sold is considered "the same" as a base period commodity only if it is identical with the base period commodity in all respects except that it may differ from the base period commodity to the following extent:

(1) The current commodity may have a finished weight of not less than 97% of the finished weight of the base period commodity.

<sup>\*</sup> These forms may be duplicated but will not be supplied by the Office of Price Administration.

(2) The current commodity may be made with a substantially equal number of courses and needles per inch and with trimmings of substantially equal quality and serviceability to the base period commodity.

(3) The current commodity may be made of yarn which varies from that of the base period commodity by not more than two counts. For example, a current commodity made of 26 count yarn may be considered the same as a base period commodity made of 24 or 28 count yarn. Note, however, that the amount of permitted yarn cost increase must be based on the actual count of yarn used in the current commodity.

(b) *"Type of yarn".* For the purposes of this order yarns are classified as follows:

(1) As to the fiber of which it is made (such as cotton, wool or synthetic);

(2) As to whether it is combed or carded;

(3) As to count of yarn, such as 26's, 30's, etc.;

(4) As to whether singles or plied.

Where a garment is knitted of yarn which is a blend of one or more different fibers, or of a combination yarn (that is yarns of different fibers plied together) each fiber is treated separately for the purpose of calculating the permitted yarn cost increase, as described in (c) below.

(c) *"Number of pounds of yarn consumed".* For purposes of this order the "number of pounds of yarn consumed" in a commodity is the number of pounds required to knit the base size of the commodity, that is the gross knitting weight. In calculating the yarn cost increase permitted for a commodity made of a blended yarn or of more than one type of yarn, the number of pounds of each type of cotton yarn consumed in the commodity must be multiplied separately by the increase factor listed for that type of yarn in Appendix B.

(d) *"Legal wage rates".* For purposes of this order "legal wage rates" are wage rates put into effect before September 16, 1942, or, if put into effect after that date, authorized by express order of the National or Regional War Labor Boards, or the Wage Stabilization Board, or permissible under any general order or directive issued by one of such boards, or wage rates deemed "approved" under Executive Order 9697, issued February 14, 1946.

SEC. 7. *Amendment.* Any person seeking an amendment, which must have general applicability, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,<sup>\*</sup> issued by the Office of Price Administration.

This supplementary order shall become effective April 3, 1946.

NOTE: All record keeping and reporting requirements of this supplementary order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of March 1946.

PAUL A. PORTER,  
Administrator.

<sup>\*</sup> 9 F.R. 10476, 13715; 10 F.R. 11295.



## APPENDIX A—COMMODITY GROUPS AND CUT-OFF PRICES

Column 1	Column 2 Net cut-off prices	
	Manufacturers' sales to other than individual ultimate consumers (per dozen)	Manufacturers' sales to individual ultimate consumers (per item)
Men's knit athletic shirts (all yarns)	\$4.00	\$0.52
Men's knit union suits under 9 lbs. per dozen finished weight calculated on size 42 (all yarns)	10.00	1.20
Men's 3/4 and full length knit drawers under 6 lbs. per dozen finished weight calculated on size 38 (all yarns)	9.00	1.16
Men's mid-length and knee-length drawers under 6 lbs. per dozen finished weight calculated on size 38 (all yarns)	6.00	.77

## APPENDIX B—YARN COST INCREASES

## Carded Cotton Yarns

Column 1 Type of yarn	Column 2 Permitted cost increase (cents per pound)
Singles yarn counts:	
6 and lower	4.50
8	5.00
10	5.25
12	5.75
14	6.25
16	7.00
18	7.50
20	8.00
22	8.75
24	9.50
26	10.25
28	10.25
30	10.50
32	11.00
34	11.25
36	11.25
38	11.50
40	11.50
42	11.75
44	12.00
46	12.25
48	12.50
50 and higher	12.75
Piled yarn counts:	
6 and lower	3.00
8	3.50
10	4.00
12	5.00
14	6.00
16	6.75
18	7.50
20	8.25
22	9.50
24	10.75
26	12.00
28	12.50
30	13.25
32	13.25
34	13.50
36	13.50
38	13.75
40	14.25
42	15.25
44	15.25
46	15.50
48	16.00
50 and higher	16.00

## Combed Cotton Yarns

Singles yarn counts:	
8 and lower	9.75
10	10.25
12	10.25
14	10.25
16	10.50

## Combed Cotton Yarns—Continued

Column 1 Type of yarn	Column 2 Permitted cost increase (cents per pound)
Singles yarn counts:	
18	10.75
20	11.25
22	11.75
24	12.00
26	12.25
28	12.50
30	13.00
32	13.75
34	14.50
36	14.75
38	15.00
40	15.25
42	15.50
44	15.25
46	15.00
48	14.75
50	13.75
52	14.00
54	14.25
56	14.50
58	14.75
60 and higher	15.00
Piled yarn counts:	
8 and lower	9.25
10	9.75
12	10.25
14	10.75
16	11.25
18	11.75
20	12.00
22	12.50
24	13.00
26	13.75
28	14.50
30	15.50
32	16.00
34	16.50
36	17.00
38	17.50
40	17.50
42	17.50
44	17.50
46	17.50
48	17.50
50	16.50
52	16.75
54	17.00
56	17.25
58	17.25
60 and higher	17.25

[F. R. Doc. 46-5289; Filed, Mar. 29, 1946; 11:33 a. m.]

## PART 1381—SOFTWOOD LUMBER

[RMFR 26, Amdt. 22]

## DOUGLAS FIR AND OTHER WEST COAST LUMBER

## Correction

In paragraph 9 of Federal Register Document 46-3254, appearing at page 2181 of the issue for Saturday, March 2, 1946, section 23 (b) (3) should read as follows:

(3) Cargo mills granted special authorizations under former section 7 (d) (1) may continue to charge for prerailed truck hauls in accordance with such authorization.

## PART 1305—ADMINISTRATION

[SO 155]

## TRANSPORTATION ADJUSTMENT FOR MARTHA'S VINEYARD AND NANTUCKET, MASS.

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

mentary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

SEC. 1. Purpose of this supplementary order. Transportation from the mainland to the islands of Martha's Vineyard and Nantucket, both of which are parts of Massachusetts, was discontinued on February 28, 1946, by the company previously furnishing the bulk of such service, and on March 1, 1946, a new company began to supply the service. The initial rates filed by the new company, which are now in effect, are higher than the old rates for most commodities. The increased cost results in a reduction of the margins of sellers on the islands as to commodities which are governed by a variety of price regulations, and the purpose of this order is to afford relief from this "squeeze", on a temporary basis and only as to certain groups of commodities, until such time as a final determination of rates has been made and the effect of such rates on resellers on the islands has been determined.

SEC. 2. Commodities affected by this supplementary order. This supplementary order may be used in the pricing of any commodity which is bought and resold in substantially the same form and which is governed, for sales at wholesale or sales at retail, by a price schedule, maximum price regulation or supplementary order, or by any regulation supplementary to a maximum price regulation, which:

(a) Establishes maximum prices by reference to the price charged by the seller during some past period of time (a so-called "base-period freeze" regulation, such as the General Maximum Price Regulation); or

(b) Establishes maximum prices by the use of the seller's own margin over cost during some past period of time, where the cost to which the margin is applied does not include incoming transportation cost or where the inclusion of incoming transportation cost in the cost which was used to determine the margin was optional or depended on the seller's own customary practice and the seller did not in fact include such transportation in the cost and so must now calculate prices by applying said margin to a cost exclusive of transportation costs (for example, Maximum Price Regulation No. 580; and Revised Maximum Price Regulation No. 330 in those cases in which the costs listed on the seller's chart do not include incoming transportation cost); or

(c) Establishes maximum prices by prescribing a specific percentage mark-up over a cost which is so defined as to exclude incoming transportation cost (for example, General Retail Order No. 3 under Maximum Price Regulation No. 580); or

(d) Establishes maximum prices by prescribing a specific percentage mark-up over a cost which, although it includes incoming transportation cost incurred in connection with a purchase made during some preceding period, may not include increases in incoming transportation cost incurred on subsequent purchases of the same commodity



(for example, Maximum Price Regulations 421, 422 and 423).

This supplementary order may not be used in any case where the OPA has fixed the same dollar-and-cents ceiling price for all of the sellers of a class or geographical area or where a retail ceiling price has been required by the OPA to be preticketed. (Examples are 2d Revised Maximum Price Regulation No. 578, Maximum Price Regulation No. 602, Revised Order No. 1 under § 1499.159e of Maximum Price Regulation No. 188 and Maximum Price Regulation No. 355). No action to afford any relief is, of course, required in those cases where the seller may include actual transportation charges paid in the cost to which a margin is applied, or may add to the determined price the actual inbound transportation expense (for an example of the latter type, see Supplementary Order No. 151).

**SEC. 3. Adjustment.** Any seller located on Martha's Vineyard or Nantucket Islands, Massachusetts, who brings to the islands for resale a commodity described in section 2 and for the resale of which section 2 permits this order to be used may, if he observes the invoicing and record-keeping requirements of section 4 of this supplementary order, add to his otherwise properly determined maximum price the difference between the transportation cost actually incurred in bringing the commodity from the mainland to the island and the cost which would have been incurred for an identical shipment from the mainland to the island immediately prior to March 1, 1946. No additional cost incurred over and above the cost incurred at any prior time due to a change in the method of transportation from the point of origin to the point where the commodity is loaded on board vessel for carriage to the island may be so added.

Any seller located on Martha's Vineyard or Nantucket Islands, Massachusetts, who buys such a commodity from a reseller on the island for resale may add to his otherwise properly determined maximum price the amount of the additional charge actually paid by him to his supplier hereunder, if separately stated on his supplier's invoice and if he in turn observes the requirements of section 4.

**SEC. 4. Record-keeping and invoicing—(a) Records.** Every seller located on Martha's Vineyard or Nantucket Islands, Massachusetts, who brings to the islands for resale a commodity eligible for adjustment hereunder (including any commodity which may be the subject of a Special Order under section 5 hereof) shall keep clear and accurate records of the transportation cost actually incurred in bringing the commodity from the mainland to the island, and shall preserve all of his existing records as to the costs of bringing similar and identical shipments from the mainland to the island prior to March 1, 1946. Every seller located on said islands who buys such a commodity from a reseller on the island for resale shall preserve the invoice or similar document rendered by his supplier, showing the transportation adjustment charged to him.

**(b) Invoices.** Any reseller on the islands who sells to a purchaser who buys for resale a commodity eligible for adjustment hereunder shall furnish to the purchaser an invoice or similar document which shall separately set forth, in addition to the information which may be required by the regulation otherwise governing the maximum price of the commodity, the amount of the adjustment charge, if any, under section 3 hereof, identified by the words "OPA Transportation Adjustment under S. O. ----".

**SEC. 5. Special orders.** The Regional Administrator for Region I of the Office of Price Administration may, by special orders under this section, modify the provisions of this order as applied to certain commodities or classes of sellers, including the power to provide for an adjustment consistent with the general purpose of this order for commodities which are not eligible for an adjustment under section 2 hereof.

**SEC. 6. Revocation and amendment.** This supplementary order may be revoked or amended at any time.

**NOTE:** The invoicing and record-keeping requirements of this supplementary order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942, as amended.

This supplementary order shall become effective March 28, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5226; Filed, Mar. 28, 1946;  
4:40 p. m.]

#### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 477, Amdt. 16]

##### SALES OF RUBBER HEELS AND SOLES IN THE SHOE FACTORY AND HOME REPLACEMENT TRADES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Appendix C is amended in the following respects:

a. The footnote references<sup>12</sup> is added immediately following the table heading: "Flat cord soling slabs 31 1/4" x 31 1/4"."

b. The footnote reference<sup>1</sup> is added immediately following the table heading: "Flat cord soling strips 13" x 14 1/2"."

c. The footnote reference<sup>1</sup> is added immediately following the table heading: "Flat cord half soles".

This amendment shall become effective April 3, 1946.

Issued this 29th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5286; Filed, Mar. 29, 1946;  
11:33 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 75]

##### HOT PLATES, GRILLS AND TABLE STOVES

A statement of considerations involved in the issuance of this amendment has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respect:

The listing "hot plates, grills and table stoves" contained in § 1499.166 (b) (6) is amended to read as follows:

Hot plates, grills and table stoves, except those using gas as fuel.

This amendment shall become effective on the 3d day of April 1946.

Issued this 29th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5283; Filed, Mar. 29, 1946;  
11:32 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 604, Amdt. 2]

##### RYE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1.5 of Maximum Price Regulation 604 is amended to read as follows:

**SEC. 1.5. Separate invoicing of charges, markups and costs.** When any selling price equals or exceeds a base price adjusted for grade and quality at the point of origin, plus freight, or exceeds the base price adjusted for grade and quality at the terminal through which the shipment moves plus freight, all service charges, markups, elevation and handling costs and transportation costs permitted in respect to distributors of carload quantities shall be separately stated on the invoice or on the confirmation of sales to each purchaser of a carload quantity. Except for the sales described in paragraphs (a) to (e) below, such statement shall also indicate with respect to each of the above items the name and address of the person performing the service or taking the markup, the nature of the service being performed or the markup taken and the amount being added to the maximum price.

(a) Sales in mixed cars or pool cars.

(b) Sales where the maximum price is determined under the provisions of section 2.5 of this regulation or sales where the seller's maximum price is based upon a supplier's maximum price which has been determined under the provisions of such section.

(c) Sales of carload quantities after they have been unloaded at a terminal base point or in a city listed in section 2.2 (a) (7) of this regulation.







Zone 1, group 1-2	Zone 2, group 1-2	Zone 3 and 4, group 1-2	Zone 4a, group 1-2	Zone 5, group 1-2	Zone 6 and 7, group 1-2	Zone 8 and 9, north, group 1-2	Zone 10, south, group 1-2	Zone 10, group 1-2
Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
9B. Bellies or slab bacon, store sliced: 1. Fresh, frozen or cured with rind 2. Fresh, frozen or cured derinded 3. Smoked with rind 4. Smoked derinded 15A. Boneless loins (Canadian bacon) whole or piece: 1. Smoked 2. Ready to eat 15B. Boneless loins (Canadian bacon) store sliced: 1. Smoked 2. Ready to eat 16. Backs (whole): 1. Fresh or frozen 2. Smoked 3. Smoked 17. Fat back (whole or piece): 1. Fresh, cured or frozen 18A. Pork loins (whole): 1. Fresh or frozen 2. Cured 3. Smoked 18B. Pork loins, rib half or end or chops: 1. Fresh or frozen 2. Cured 3. Smoked 18C. Pork loins, loin half or end or chops: 1. Fresh or frozen 2. Cured 3. Smoked 18D. Pork loins, center cut (piece or chops): 1. Fresh or frozen 2. Cured 3. Smoked 19. Sliced bacon (derinded, smoked): 1. Standard grade A 2. Standard grade B 3. Standard grade C 7. Sliced Canadian bacon (pick- aged) 8. Sliced ready-to-eat Canadian bacon (packaged) 21. Dry salt bellies: 1. Fresh, cured or frozen 2. Smoked 24A. Cooked or boiled ham, shoulder, picnic boneless and fattened (whole or piece): 1. Regular ham 2. Skinned ham 24B. Cooked or boiled ham, picnic, boneless and fattened (sliced): 1. Regular ham 2. Skinned ham 25A. Cooked or boiled and smoked ham and picnic, boneless and fattened (whole or piece): 1. Regular ham 2. Skinned ham 25B. Cooked or boiled and smoked ham and picnic, boneless and fattened (sliced): 1. Regular ham 2. Skinned ham 26A. Baked and Barbecued ham, shoulder and picnic, boneless and fattened (whole): 1. Regular ham 2. Skinned ham 26B. Baked and Barbecued ham, shoulder and picnic, boneless and fattened (sliced): 1. Regular ham 2. Skinned ham	32 35 36 40 44 62 67 69 75 77 82 84 88 92 96 100 104 108 112 116 120 124 128 132 136 140 144 148 152 156 160 164 168 172 176 180 184 188 192 196 200 204 208 212 216 220 224 228 232 236 240 244 248 252 256 260 264 268 272 276 280 284 288 292 296 300 304 308 312 316 320 324 328 332 336 340 344 348 352 356 360 364 368 372 376 380 384 388 392 396 400 404 408 412 416 420 424 428 432 436 440 444 448 452 456 460 464 468 472 476 480 484 488 492 496 500 504 508 512 516 520 524 528 532 536 540 544 548 552 556 560 564 568 572 576 580 584 588 592 596 600 604 608 612 616 620 624 628 632 636 640 644 648 652 656 660 664 668 672 676 680 684 688 692 696 700 704 708 712 716 720 724 728 732 736 740 744 748 752 756 760 764 768 772 776 780 784 788 792 796 800 804 808 812 816 820 824 828 832 836 840 844 848 852 856 860 864 868 872 876 880 884 888 892 896 900 904 908 912 916 920 924 928 932 936 940 944 948 952 956 960 964 968 972 976 980 984 988 992 996 1000	31 34 35 38 41 60 65 67 71 73 77 81 85 89 93 97 101 105 109 113 117 121 125 129 133 137 141 145 149 153 157 161 165 169 173 177 181 185 189 193 197 201 205 209 213 217 221 225 229 233 237 241 245 249 253 257 261 265 269 273 277 281 285 289 293 297 301 305 309 313 317 321 325 329 333 337 341 345 349 353 357 361 365 369 373 377 381 385 389 393 397 401 405 409 413 417 421 425 429 433 437 441 445 449 453 457 461 465 469 473 477 481 485 489 493 497 501 505 509 513 517 521 525 529 533 537 541 545 549 553 557 561 565 569 573 577 581 585 589 593 597 601 605 609 613 617 621 625 629 633 637 641 645 649 653 657 661 665 669 673 677 681 685 689 693 697 701 705 709 713 717 721 725 729 733 737 741 745 749 753 757 761 765 769 773 777 781 785 789 793 797 801 805 809 813 817 821 825 829 833 837 841 845 849 853 857 861 865 869 873 877 881 885 889 893 897 901 905 909 913 917 921 925 929 933 937 941 945 949 953 957 961 965 969 973 977 981 985 989 993 997 1001	41 44 47 50 53 60 65 67 71 73 77 81 85 89 93 97 101 105 109 113 117 121 125 129 133 137 141 145 149 153 157 161 165 169 173 177 181 185 189 193 197 201 205 209 213 217 221 225 229 233 237 241 245 249 253 257 261 265 269 273 277 281 285 289 293 297 301 305 309 313 317 321 325 329 333 337 341 345 349 353 357 361 365 369 373 377 381 385 389 393 397 401 405 409 413 417 421 425 429 433 437 441 445 449 453 457 461 465 469 473 477 481 485 489 493 497 501 505 509 513 517 521 525 529 533 537 541 545 549 553 557 561 565 569 573 577 581 585 589 593 597 601 605 609 613 617 621 625 629 633 637 641 645 649 653 657 661 665 669 673 677 681 685 689 693 697 701 705 709 713 717 721 725 729 733 737 741 745 749 753 757 761 765 769 773 777 781 785 789 793 797 801 805 809 813 817 821 825 829 833 837 841 845 849 853 857 861 865 869 873 877 881 885 889 893 897 901 905 909 913 917 921 925 929 933 937 941 945 949 953 957 961 965 969 973 977 981 985 989 993 997 1001					

26B: subitems 1, 2, 6 and 7 of Items 27A, 27B, 29A, 29B, 29C, 29D and 30 in the schedule of prices for Group 3 and 4 stores set forth in section 19 are amended, respectively, to read as follows:

2. Items 1A, 1B, 1C, 1D, 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 7, 8, 9A, 9B, 15A, 15B and 16; subitem 1 of Item 17; Items 18A, 18B, 18C and 18D; subitems 1, 2, 3, 7 and 8 of Item 19; Item 21; subitems 1 and 2 of Items 24A, 24B, 25A, 25B, 26A and 26B.



	Zone 1, group 3-4	Zone 2, group 3-4	Zone 3, group 3-4	Zone 4a, group 3-4	Zone 5, group 3-4	Zone 6 and 7, group 3-4	Zone 8 and 9, north, group 3-4	Zone 8 and 9, south, group 3-4	Zone 10, group 3-4
2A. Ready-to-eat hams and cooked hams, whole:									
1. Regular bone-in.....	38	37	36	35	35	36	36	36	37
2. Regular boneless.....	42	41	40	39	39	40	40	40	41
3. Regular, boneless and fattened (ready-to-eat only).....	48	48	47	46	46	46	47	47	48
4. Skinned bone-in.....	40	40	39	38	38	38	39	39	40
5. Skinned boneless.....	45	44	43	42	42	43	43	44	44
6. Skinned, boneless and fattened (ready-to-eat only).....	52	52	50	49	50	50	50	51	51
2B. Ready-to-eat hams and cooked hams, shank half or end:									
1. Regular bone-in.....	36	36	35	34	34	34	35	35	36
2. Regular boneless.....	42	41	40	39	39	40	40	40	41
3. Regular, boneless and fattened (ready-to-eat only).....	48	48	47	46	46	46	47	47	48
4. Skinned bone-in.....	39	38	37	36	36	37	37	38	38
5. Skinned boneless.....	45	44	43	42	42	43	43	44	44
6. Skinned, boneless and fattened (ready-to-eat only).....	52	52	50	49	50	50	50	51	51
2C. Ready-to-eat hams and cooked hams, round half or end:									
1. Regular bone-in.....	37	37	35	34	35	35	35	35	36
2. Regular boneless.....	42	41	40	39	39	40	40	40	41
3. Regular, boneless and fattened (ready-to-eat only).....	48	48	47	46	46	46	47	47	48
4. Skinned bone-in.....	40	39	38	37	37	38	38	39	39
5. Skinned boneless.....	45	44	43	42	42	43	43	44	44
6. Skinned, boneless and fattened (ready-to-eat only).....	52	52	50	49	50	50	50	51	51
2D. Ready-to-eat hams and cooked hams, slices:									
1. Regular bone-in.....	53	52	51	49	49	50	51	51	52
2. Regular boneless.....	55	55	53	52	52	53	53	54	54
3. Regular, boneless and fattened (ready-to-eat only).....	64	64	63	62	61	62	63	63	64
4. Skinned bone-in.....	57	56	55	53	53	54	54	55	56
5. Skinned boneless.....	59	59	58	57	56	57	58	58	59
6. Skinned, boneless and fattened (ready-to-eat only).....	69	69	67	66	66	66	67	68	68
3A. Fresh, frozen, or cured ham, whole:									
1. Regular bone-in.....	33	32	31	30	30	31	32	32	33
2. Regular boneless.....	36	35	34	33	33	34	35	35	36
3. Regular, boneless and fattened.....	42	42	41	40	40	40	41	41	42
4. Skinned bone-in.....	35	35	34	33	33	34	35	35	36
5. Skinned boneless.....	40	39	38	37	37	38	39	39	40
6. Skinned, boneless and fattened.....	46	45	44	43	43	44	45	45	46
3B. Fresh, frozen, or cured ham, shank end:									
1. Regular bone-in.....	32	32	30	29	30	30	32	32	33
2. Regular boneless.....	35	35	34	33	33	34	35	35	36
3. Regular, boneless and fattened.....	41	41	40	39	39	40	41	41	42
4. Skinned bone-in.....	35	34	33	32	32	33	34	34	35
5. Skinned boneless.....	39	39	37	36	36	37	38	38	39
6. Skinned, boneless and fattened.....	44	44	43	42	42	43	44	44	45
3C. Fresh, frozen, or cured ham, round or butt end:									
1. Regular bone-in.....	34	33	32	31	31	32	33	33	34
2. Regular boneless.....	38	38	36	35	35	36	37	37	38
3. Regular, boneless and fattened.....	44	43	42	41	41	41	42	42	43
4. Skinned bone-in.....	36	36	35	34	34	35	36	36	37
5. Skinned boneless.....	41	40	39	38	38	39	40	40	41
6. Skinned, boneless and fattened.....	47	46	45	44	44	45	46	46	47
3D. Fresh, frozen, or cured ham, slices:									
1. Regular bone-in.....	37	37	35	34	35	35	37	36	37
2. Regular boneless.....	41	41	39	38	38	39	41	40	41
3. Regular, boneless and fattened.....	48	48	46	45	45	46	48	47	48
4. Skinned bone-in.....	40	40	38	37	37	38	40	39	40
5. Skinned boneless.....	45	45	43	42	42	43	45	44	45
6. Skinned, boneless and fattened.....	51	51	50	48	49	49	51	50	51
7. Aged dry cured hams:									
1. Whole or half.....	55	55	54	53	53	54	54	55	55
2. Sliced.....	62	61	60	58	59	60	60	61	61
8. Proscutto hams:									
1. Whole or half.....	53	52	51	50	50	51	51	52	52
2. Sliced bone-in.....	59	58	57	56	56	57	57	58	58
3. Sliced boneless and fattened.....	100	99	98	96	97	97	98	98	99
9A. Bellies or slab bacon, whole or piece:									
1. Fresh, frozen or cured with rind.....	27	27	26	25	25	26	26	26	27
2. Fresh, frozen or cured derinded.....	30	30	29	28	28	29	29	29	30
3. Smoked with rind.....	34	34	33	32	32	33	33	33	34
4. Smoked derinded.....	38	37	36	35	35	36	36	36	37
9B. Bellies or slab bacon, store sliced:									
1. Fresh, frozen or cured with rind.....	30	30	29	28	28	29	29	29	30
2. Fresh, frozen or cured derinded.....	34	34	33	32	32	33	33	33	34
3. Smoked with rind.....	38	38	36	35	35	36	36	36	37
4. Smoked derinded.....	42	42	40	39	39	40	40	41	41
15A. Boneless loins (Canadian bacon) whole or piece:									
1. Smoked.....	60	59	58	57	57	58	58	58	59
2. Ready-to-eat.....	65	64	63	62	62	63	63	63	64
15B. Boneless loins (Canadian bacon) store sliced:									
1. Smoked.....	66	66	64	63	63	64	64	64	65
2. Ready-to-eat.....	72	71	70	69	69	70	70	70	71
16. Briskets (whole):									
1. Fresh or frozen.....	21	20	19	18	18	19	20	20	21
2. Cured.....	22	22	22	21	21	22	22	22	23
3. Smoked.....	28	28	26	25	25	26	26	26	27
17. Fat back (whole or piece):									
1. Fresh or frozen.....	19	19	18	17	17	18	18	18	19
2. Cured.....	34	34	32	31	31	32	32	32	33
3. Smoked.....	35	35	33	32	32	33	33	33	34
18A. Pork loins (whole):									
1. Fresh or frozen.....	30	30	29	28	28	29	29	29	30
2. Cured.....	35	35	33	32	32	33	33	33	34
3. Smoked.....	39	39	38	37	37	38	38	38	39
18B. Pork loins, rib half or end or chops:									
1. Fresh or frozen.....	31	31	30	29	29	30	31	31	31
2. Cured.....	32	32	31	30	30	31	31	31	32
3. Smoked.....	36	36	35	34	34	35	35	35	36
18C. Pork loins, loin half or end or chops:									
1. Fresh or frozen.....	34	33	32	31	31	32	32	32	33
2. Cured.....	35	35	34	33	33	34	34	34	35
3. Smoked.....	39	39	38	37	37	38	38	38	39
18D. Pork loins, center cut (pieces or chops):									
1. Fresh or frozen.....	38	38	37	36	36	37	37	37	38
2. Cured.....	39	39	38	37	37	38	38	38	39
3. Smoked.....	44	44	43	42	42	43	43	43	44
19. Sliced bacon (rindless, smoked):									
1. Standard grade A.....	43	43	42	41	41	42	42	42	43
2. Standard grade B.....	39	39	38	37	37	38	38	38	39
3. Standard grade C.....	35	35	34	33	33	34	34	34	35
7. Sliced Canadian bacon (packaged):									
1. Regular ham.....	71	71	70	69	69	70	70	70	71
2. Sliced ready-to-eat Canadian bacon (packaged):									
1. Fresh, frozen or cured.....	77	76	75	74	74	75	75	75	76
2. Smoked.....	23	23	22	21	21	22	22	22	23
24A. Cooked or boiled ham, shoulder, picnic, boneless and fattened (whole or piece):									
1. Regular ham.....	52	52	51	50	50	51	51	51	52
2. Skinned ham.....	56	56	55	54	54	55	55	55	56
24B. Cooked or boiled ham, picnic boneless and fattened (sliced):									
1. Regular ham.....	73	73	72	71	71	72	72	72	73
2. Skinned ham.....	78	78	77	76	76	77	77	77	78
25A. Cooked or boiled & smoked ham & picnics, boneless & fattened (whole or piece):									
1. Regular ham.....	54	54	53	52	52	53	53	53	54
2. Skinned ham.....	58	58	57	56	56	57	57	57	58
25B. Cooked or boiled & smoked ham & picnics, boneless & fattened (sliced):									
1. Regular ham.....	75	75	74	73	73	74	74	74	75
2. Skinned ham.....	81	81	80	79	79	80	80	80	81
26A. Baked and barbecued ham, shoulder & picnic, boneless & fattened (whole):									
1. Regular ham.....	58	58	57	56	56	57	57	57	58
2. Skinned ham.....	62	62	61	60	60	61	61	61	62



	Zone 1	Zone 2	Zone 3 and 4	Zone 4a	Zone 5	Zones 6 and 7	Zones 8 and 9 north	Zones 8 and 9 south	Zone 10
1D. Smoked ham, slices—Continued.									
1. Skinned, boneless.	49	49	47	46	46	47	47	48	48
2. Skinned, boneless & fattened.	57	57	55	54	54	55	55	56	56
2A. Ready to eat hams & cooked hams, whole:									
1. Regular bone-in.	37	37	36	35	35	35	36	36	37
2. Regular boneless.	41	41	40	39	39	39	40	40	41
3. Regular boneless & fattened (ready to eat only).	48	48	47	45	45	46	47	47	47
4. Skinned bone-in.	40	40	38	38	38	38	39	39	40
5. Skinned boneless.	44	44	43	42	42	42	43	43	44
6. Skinned, boneless & fattened (ready to eat only).	51	51	50	49	49	49	50	50	51
2B. Ready to eat hams & cooked hams, shank half or end:									
1. Regular bone-in.	36	35	34	33	33	34	34	35	35
2. Regular boneless.	41	41	40	39	39	39	40	40	41
3. Regular, boneless & fattened (ready to eat only).	48	48	47	45	45	46	47	47	47
4. Skinned bone-in.	38	38	37	36	36	37	37	37	38
5. Skinned boneless.	44	44	43	42	42	42	43	43	44
6. Skinned, boneless & fattened (ready to eat only).	51	51	50	49	49	49	50	50	51
2C. Ready to eat hams & cooked hams, round half or end:									
1. Regular bone-in.	37	36	35	34	35	35	35	36	36
2. Regular boneless.	41	41	40	39	39	39	40	40	41
3. Regular, boneless & fattened (ready to eat only).	48	48	47	45	46	46	47	47	47
4. Skinned bone-in.	39	39	38	37	37	38	38	39	39
5. Skinned boneless.	44	44	43	42	42	42	43	43	44
6. Skinned, boneless & fattened (ready to eat only).	51	51	50	49	49	49	50	50	51
2D. Ready to eat hams & cooked hams, slices:									
1. Regular bone-in.	47	46	45	43	44	44	45	45	46
2. Regular boneless.	50	49	48	47	47	47	48	48	49
3. Regular boneless & fattened (ready to eat only).	58	57	56	55	55	55	56	56	57
4. Skinned bone-in.	50	50	48	47	47	47	48	48	49
5. Skinned boneless.	53	53	52	50	51	51	52	52	53
6. Skinned, boneless & fattened (ready to eat only).	62	61	60	59	59	59	60	60	61
3A. Fresh, frozen or cured ham, whole:									
1. Regular bone-in.	32	31	30	29	29	30	31	31	32
2. Regular boneless.	35	35	33	32	32	33	33	34	35
3. Regular boneless & fattened.	41	40	39	38	38	39	40	40	41
4. Skinned bone-in.	34	34	33	31	32	32	33	34	34
5. Skinned boneless.	38	38	37	36	36	36	37	37	38
6. Skinned, boneless & fattened.	44	43	42	41	41	42	43	43	44
3B. Fresh, frozen or cured ham, shank end:									
1. Regular bone-in.	32	31	30	29	29	30	31	31	32
2. Regular boneless.	35	34	33	32	32	33	34	34	35
3. Regular boneless & fattened.	40	40	39	38	38	39	40	40	41
4. Skinned bone-in.	34	34	32	31	31	32	33	33	34
5. Skinned boneless.	38	38	36	35	35	36	37	37	38
6. Skinned, boneless & fattened.	43	43	42	41	41	42	43	43	44
3C. Fresh, frozen or cured ham, round or butt end:									
1. Regular bone-in.	32	32	31	30	30	30	31	31	32
2. Regular boneless.	35	35	34	33	33	34	34	35	35
3. Regular boneless & fattened.	41	41	40	39	39	40	41	41	42
4. Skinned bone-in.	35	34	33	32	32	33	34	34	35
5. Skinned boneless.	39	39	37	36	36	37	38	38	39
6. Skinned, boneless & fattened.	44	44	43	42	42	43	44	44	45
3D. Fresh, frozen or cured ham, slices:									
1. Regular bone-in.	34	34	33	31	32	32	33	33	34
2. Regular boneless.	38	37	36	35	35	36	37	37	38
3. Regular boneless & fattened.	44	43	42	41	41	42	43	43	44
4. Skinned bone-in.	37	37	35	34	34	35	36	36	37
5. Skinned boneless.	41	41	40	38	39	39	40	40	41
6. Skinned, boneless & fattened.	47	47	46	45	45	46	47	47	48
7. Aged, dry cured hams.	51	51	50	49	49	49	50	50	51
8. Sliced.	56	55	54	53	53	53	54	54	55
8. Prosciutto hams:									
1. Whole or half.	50	49	48	47	47	48	48	49	50
2. Sliced bone-in.	54	53	52	51	51	51	52	52	53
3. Sliced boneless & fattened.	90	90	88	87	88	88	88	89	89

3. Items 1A, 1B, 1C, 1D, 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 7, 8, 9A, 9B, 15A, 15B and 16; subitem 1 of Item 17; Items 18A, 18B, 18C and 18D; subitems 1, 2, 3, 7 and 8 of Item 19; Item 21; subitems 1 and 2 of Items 24A, 24B, 25A, 25B, 26A and 26B; subitems 1, 2, 6 and 7 of Items 27A and 27B; and Items 27C, 29A, 29B, 29C, 29D and 30 in the schedule of prices set forth in paragraph (a) of section 21 are amended, respectively, to read as follows:

	Zone 1	Zone 2	Zones 3 and 4	Zone 4a	Zone 5	Zones 6 and 7	Zones 8 and 9 north	Zones 8 and 9 south	Zone 10
1A. Smoked ham, whole:									
1. Regular bone-in.	34	34	33	32	32	32	33	33	34
2. Regular boneless.	38	38	37	35	36	36	37	37	38
3. Regular boneless & fattened.	44	44	43	42	42	42	43	43	44
4. Skinned bone-in.	37	37	35	34	35	35	36	36	37
5. Skinned boneless.	41	41	40	39	38	38	39	39	40
6. Skinned, boneless & fattened.	47	47	46	45	45	45	46	46	47
1B. Smoked ham, shank half or end:									
1. Regular bone-in.	33	33	31	30	31	31	32	32	33
2. Regular boneless.	38	38	37	35	36	36	37	37	38
3. Regular boneless & fattened.	44	44	43	42	42	42	43	43	44
4. Skinned bone-in.	35	35	33	32	33	33	34	34	35
5. Skinned boneless.	41	41	40	39	38	38	39	39	40
6. Skinned, boneless & fattened.	47	47	46	45	45	45	46	46	47
1C. Smoke ham, round half or end:									
1. Regular bone-in.	34	33	32	31	32	32	33	33	34
2. Regular boneless.	38	38	37	35	36	36	37	37	38
3. Regular boneless & fattened.	44	44	43	42	42	42	43	43	44
4. Skinned bone-in.	37	37	35	34	35	35	36	36	37
5. Skinned boneless.	41	41	40	39	38	38	39	39	40
6. Skinned, boneless & fattened.	47	47	46	45	45	45	46	46	47
1D. Smoked ham, slices:									
1. Regular bone-in.	43	42	41	40	40	40	41	41	42
2. Regular boneless.	46	45	44	43	43	43	44	44	45
3. Regular boneless & fattened.	53	53	52	50	51	51	52	52	53
4. Skinned bone-in.	46	46	44	43	43	43	44	44	45







Each Regional Administrator is authorized and directed to reflect in area orders issued by him under this section the 10-cent per net ton increase in prices authorized by § 1340.254 (e) of this regulation.

This amendment shall become effective March 30, 1946.

Issued this 29th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5281; Filed, Mar. 29, 1946;  
11:34 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[2d Rev. MPR 319, Amdt. 3]

CERTAIN BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new section 25 is added to Second Revised Maximum Price Regulation 319 to read as follows:

SEC. 25. *Emergency decreases in weight.* Notwithstanding any provision in this regulation to the contrary, any producer desiring to decrease the weight of a product pursuant to the recommendations of the Famine Emergency Committee may do so in the following manner:

(a) Prior to his April, 1946, recalculation and filing, he may decrease the weight of such product by not more than 10 percent without any decrease in his maximum price for such product if his saving in cost of ingredients by reason of such decrease is less than 1 cent. Where such saving amounts to a cent or more, his maximum price for the product must be decreased by the amount of whole cents included in such saving.

(b) Any producer recalculating his maximum price during April, 1946, for any product the weight of which is being or has been decreased shall do so as follows: He shall first recalculate his maximum price for the product in the manner provided in sections 10 and 11 of this regulation without giving any consideration to such decrease in weight. Such change may then be reflected in the manner provided in section 12. He may then decrease the weight of such product by not more than 10 percent without any decrease in his maximum price for such product if his saving in cost of ingredients by reason of such decrease is less than 1 cent. Where such saving amounts to a cent or more his maximum price for the product must be decreased by the amount of whole cents included in such saving.

This amendment shall become effective March 28, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

Approved: March 26, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-5222; Filed, Mar. 28, 1946;  
4:40 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS  
[MPR 602, Amdt. 2]

WOMEN'S NYLON HOSIERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 602 is amended in the following respects:

1. Section 2 (c) (3) is amended to read as follows:

(3) *Limitation of distribution by manufacturers to persons other than sellers-at-retail and ultimate consumers.* No manufacturer shall deliver to persons other than sellers-at-retail and ultimate consumers, in any calendar quarter year, a larger percentage of his total deliveries of women's nylon hosiery (including finished and greige goods) than his "wholesaler percentage." A manufacturer's "wholesaler percentage" is the percentage that his deliveries in 1941, of women's full length hosiery of all fibers (including finished and greige goods) to persons other than sellers-at-retail and ultimate consumers bore to his total deliveries in 1941 of women's full length hosiery of all fibers (including finished and greige goods). If a manufacturer did not deliver any women's full length hosiery in 1941, his wholesaler percentage will be based on the deliveries of women's full length hosiery made during the first calendar year after 1941 in which he delivered this hosiery. In the case of a manufacturer who first delivered women's full length hosiery in 1945, his wholesaler percentage will be based on deliveries of women's full length hosiery made between January 1, 1945 and November 1, 1945. Deliveries by a manufacturer's agent or selling representative are to be considered as deliveries by the manufacturer. Deliveries to retailers' buying agencies, such as buying syndicates and central buying offices are to be considered as deliveries to sellers-at-retail. Export sales are included in the term "deliveries" as used in this subparagraph.

2. Section 2 (c) (4) is amended to read as follows:

(4) *Requirement to report on distribution by manufacturers—(i) Initial report.* All manufacturers are required to file a "wholesaler percentage" initial report before making deliveries to persons other than sellers-at-retail and ultimate consumers with the Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C. (Manufacturers who have properly filed their "wholesaler percentage" initial reports prior to March 29, 1946, need not refile.)

This report must contain the following information:

(a) Total quantity (in dozens of pairs) of women's full length hosiery of all fibers (finished and greige goods) delivered by the manufacturer, his agents and representatives, in the year 1941 (or, if no deliveries were made in that year, the first calendar year after

1941 (or the period January 1, 1945 to November 1, 1945) in which deliveries are made.)

(b) Of the total amount set forth under (a) above, state separately the number of dozens of pairs delivered to each of the following classes of customers:

(i) Sellers-at-retail (who purchased the hosiery for resale directly to ultimate consumers). Include in this quantity hosiery delivered to retailers' buying agencies, such as buying syndicates and central buying offices.

(ii) *Ultimate consumers.* (Include deliveries made to individual ultimate consumers.)

(iii) *Wholesalers.*

(iv) *Other manufacturers.*

(v) *Other classes of customers* (specify).

(c) Your "wholesaler percentage" (this is the percentage which is secured by dividing the sum of the amounts set forth in (iii), (iv), and (v) of (b) above, by the amount set forth in (a)).

*For example:* Manufacturer X delivered in 1941 a total of 100,000 dozen pairs of women's full length hosiery of all kinds. Of this total he delivered 35,000 dozen pairs to retailers, 500 dozen pairs directly to ultimate consumers, 50,000 dozen pairs to wholesalers, 2,000 dozen pairs to other manufacturers and 12,500 dozen pairs to exporters. His "wholesaler percentage" therefore is 64.5% (50,000 + 2,000 + 12,500 — 64,500 which, when divided by 100,000, is 64.5%).

(ii) *Quarterly reports.* On or before April 20, 1946 and on or before the 20th day of July, October, January and April thereafter every manufacturer is required to file with the Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C., a report showing the manufacturer's "wholesaler percentage," the total quantity (in dozens of pairs) of women's full length nylon hosiery (finished and in the greige) which the manufacturer delivered in the preceding calendar quarter year and, separately stated, the quantities (in dozens of pairs) of women's full length nylon hosiery delivered during that calendar quarter year to each of the classes of customers listed in (i) above.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective March 29, 1946.

Issued this 29th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5287; Filed, Mar. 29, 1946;  
11:33 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[3d Rev. RO 3, Amdt. 11]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

<sup>1</sup> 11 F.R. 177.

<sup>2</sup> 10 F.R. 14251; 11 F.R. 1154.



Third Revised Ration Order 3 is amended as follows:

Section 11.1 (a) (1) is amended to read as follows:

(1) "Imported sugar-containing product" means any product in which sugar was used (or containing an ingredient in which sugar was used) manufactured outside the 48 States of the United States and the District of Columbia except any canned, bottled and frozen fruits, canned vegetables and canned and bottled fruit juices which, if manufactured in the Continental United States would be products for which a provisional allowance could be obtained under Article XIX and for which:

(i) Definition and standards have been set up under the Federal Food and Cosmetic Act having syrup densities at time of cut-out as described therein but in any event not exceeding the degree of Brix cut-out in the Table set forth in subdivision (iv); or

(ii) Types and styles are described in United States Standards for Grades of Processed Fruits and Vegetables issued by the United States Department of Agriculture having syrup densities at time of cut-out as described therein but in any event not exceeding the degree of Brix cut-out in the Table as set forth in subdivision (iv); or

(iii) Those varieties which are not defined or described under (i) or (ii), but a Brix cut-out appears in the table in subdivision (iv) and have syrup densities not to exceed those set forth therein.

*Special note:* Jams, jellies, preserves, marmalades, fruit butter, toppings, fruit parfaits, fountain fruit and syrup, concentrated juices or any other product for which a provisional allowance may not be obtained under the provisions of Article XIX is an "important sugar-containing product". Moreover, frozen fruit which contains more sugar than that specified in Table II of Supplement I of this order is an "important sugar-containing product."

(iv) The following is the table referred to in subdivisions (ii) and (iii):

Product:	Brix cut-out (degrees)
Apples.....	20
Apple Juice.....	15
Applesauce.....	20
Apricots.....	30
Berries, all types.....	30
Cherries, Red sour.....	35
Cherries, Sweet.....	30
Figs.....	35
Fruit Cocktail.....	30
Fruits for salad.....	30
Grape Juice.....	20
Grapefruit.....	20
Grapefruit Juice.....	16
Grapefruit and Orange Juice Blended.....	16
Lemon Juice.....	10
Orange Juice.....	16
Peaches.....	35
Pears.....	30
Pineapple.....	26
Pineapple Juice.....	16
Fresh Plums including Prune Plums.....	30
Prunes, dried.....	40

This amendment shall become effective April 2, 1946.

Issued this 29th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5279; Filed, Mar. 29, 1946;  
11:32 a. m.]

#### PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPR 215, Amdt. 19]

##### DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 215 is amended in the following respects:

1. Section 5 (a) (1) (i) is amended to read as follows:

(i) On December 1, 1945, for Northern Softwood lumber covered by Maximum Price Regulation 222 and for Hardwood Flooring covered by Maximum Price Regulation 458, and

2. Section 5 (a) (3) is amended to read as follows:

(3) A "handling charge" as follows:  
(i) Lumber other than shingles and lath

(a) Southern Pine—none  
(b) Douglas Fir and other West Coast lumber covered by Revised Maximum Price Regulation 26—\$4.00 per 1000 board feet  
(c) All other species—\$5.00 per 1000 board feet

(ii) Shingles

(a) Southern Pine—15¢ per square  
(b) Western Softwood—none  
(c) All other species—30¢ per square

(iii) Lath

(a) Douglas fir, western hemlock, and true fir plaster lath—none  
(b) Other Douglas fir, western hemlock and true fir lath other than plaster lath and all lath in other species—60¢ per M pieces

3. Section 6 (a) (1) is amended to read as follows:

(1) For retail type sales of Northern Softwood lumber covered by Maximum Price Regulation 222, and Hardwood Flooring covered by Maximum Price Regulation 458, the f. o. b. mill maximum price for the green untreated lumber in the mill regulation as in effect on December 1, 1945, and

4. Section 6 (e) (1) is amended to read as follows:

(1) On retail type sales

(i) Southern Pine—none  
(ii) Douglas Fir and other West Coast lumber covered by Revised Maximum Price Regulation 26—\$4.00 per 1000 board feet  
(iii) All other species—\$5.00 per 1000 board feet

5. Section 7 (a) (9) is amended to read as follows:

(9) *Longleaf Southern pine; RMPR 19.*

*Alexandria, Louisiana:* Alabama, Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, Wyoming.

*Perry, Florida:* Florida.

*Fort Myers, Florida:* Connecticut, Delaware, District of Columbia, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Penn-

sylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia.

This Amendment No. 19 shall become effective March 29, 1946.

Issued this 29th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5284; Filed, Mar. 29, 1946;  
11:33 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[SR 14E, Amdt. 36]

##### SALES AT WHOLESALE OF CERTAIN COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Section 2.7 of Supplementary Regulation 14E is amended in the following respects:

1. Section 2.7 (b) (6) is amended by changing the undesignated sentence following subdivision (viii) to read as follows:

This subparagraph (6) shall not apply to sales covered by paragraphs (r), (t) and (v) of section 2.7.

2. Paragraph (v) is added to read as follows:

(v) *Sales of specified 25% and 33 1/3% wool blankets.* (1) This paragraph applies to sales at wholesale of specified 25% and 33 1/3% wool blankets listed in the table contained in subparagraph (2) below.

(2) The maximum price for sales at wholesale of these blankets shall be the sum of the seller's maximum price determined in accordance with the General Maximum Price Regulation and the amount stated in column (2) of the table herein for the particular blanket being priced.

(i) 72" x 84" plaid or solid color, pair; 25% wool, 75% cotton; finish weight 3.75 lbs.; American cotton warp, virgin wool and Asiatic cotton filling, minimum width of 3" acetate satin binding, ends only, bagged.

*Dollar and cent amount added to GMPPR price (per pair)*

Company:  
Chatham Manufacturing Co..... 0.205  
Pepperell Manufacturing Co..... .205

(ii) 72" x 90" solid color single; 25% wool, 50% rayon, 25% cotton; finished weight 3.50 lbs.; American cotton warp, virgin wool and rayon filling; minimum width of 3" acetate satin binding, ends only; boxed.

*Dollar and cent amount added to GMPPR Price*  
Company:  
Chatham Manufacturing Co..... 0.21  
Pepperell Manufacturing Co..... .160

(iii) 72" x 90" solid color single; 33 1/3% wool, 41 2/3% rayon, 25% cotton; finished weight 3.50 lbs.; American cotton warp, virgin wool and rayon filling; minimum

<sup>1</sup> 10 F.R. 1183, 2014, 4156, 7117, 7497, 7667, 9337, 9540, 9963, 10021, 11401, 12601.



width of 3" acetate satin binding, ends only; boxed.

*Dollar and cent amount added to GMPR Price*  
Company: Chatham Manufacturing Co.----- 0.255

This amendment shall become effective April 3, 1946.

Issued this 29th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5280; Filed, Mar. 29, 1946; 11:32 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[S. O. 479]

#### PART 95—CAR SERVICE

##### ICING RESTRICTION ON POTATOES IN THE EAST

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of March A. D. 1946.

It appearing, that the icing of potatoes originating at points in certain States, shipped in refrigerator cars impedes unduly the use, control, supply, movement, and distribution of such cars and contributes to the shortage of equipment and congestion of traffic; the Commission is of opinion an emergency requiring immediate action exists in the Eastern section of the country:

It is ordered, that: (a) *Cars of potatoes originating in Eastern States not to be initially iced or reiced.* No common carrier by railroad subject to the Interstate Commerce Act shall initially ice, or reice in transit, at any point east of the Mississippi River, any refrigerator car or cars loaded with potatoes originating in the States of Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Pennsylvania, Delaware, New Jersey, or New York (Long Island only).

(b) *Application.* The provisions of this order shall apply to all such shipments billed or in transit on or after the effective date of this order.

(c) *Regulations suspended, announcement required.* The operation of all rules and regulations insofar as they conflict with the provisions of this order is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(d) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C.

(e) *Effective date.* This order shall become effective at 12:01 a. m., April 5, 1946.

(f) *Expiration date.* This order shall expire at 11:59 p. m., September 15, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-5265; Filed, Mar. 29, 1946; 11:23 a. m.]

[S. O. 480]

#### PART 95—CAR SERVICE

##### INCREASED MINE HOLDINGS OF UNBILLED BITUMINOUS COAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of March A. D. 1946.

It appearing, that, due to a prospective stoppage in the production of bituminous coal, the Solid Fuels Administrator for War has issued an order pursuant to SFAW Regulation No. 1 directing, that after 12:01 a. m., March 29th, coal producers shall hold unbilled a number of loaded cars equivalent to not less than one full day's production of bituminous coal in the proportion of sizes normally produced; and that such cars shall be held on mine or assigned tracks as far as practicable and consistent with continued full operation of the mine and the balance, if any, up to one full day's production shall be held at the scales or other facilities made available by the railroads; the Association of American Railroads has increased the no-bill rule to 100 percent; the Office of Defense Transportation has made representations to this Commission regarding an emergency existing with respect to coal transportation and has recommended that this Commission take such action as is necessary under the circumstances; the Commission is of opinion an emergency requiring immediate action exists in all sections of the country.

It is ordered, That: (a) The provision in agent B. T. Jones' Tariff I. C. C. No. 3818, Item No. 255, Rule No. 4, section B, quoted below, and all similar provisions in other tariffs, are hereby suspended insofar as they apply on unbilled bituminous coal up to one day's full production held pursuant to Solid Fuels Administration for War Regulation No. 1.

When cars so ordered are held at weighing stations, classification yards or elsewhere, for forwarding instructions (See Note 1), no transportation charge having been

previously made, 24 hours (one day) free time will be allowed after which a demurrage charge of \$2.20 per car for each day or fraction of a day will be assessed until car is released.

(b) *Application.* The provisions of this order shall apply to intrastate as well as interstate traffic.

(c) *Rules, regulations, and practices suspended.* The operation of all rules, regulations and practices insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Effective date.* This order shall become effective at 4:00 p. m., March 28, 1946.

(e) *Expiration date.* This order shall expire at 11:59 p. m., April 15th, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

(f) *Announcement of suspension.* Each railroad, or its agent shall publish, file, and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-5266; Filed, Mar. 29, 1946; 11:23 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Office of the Secretary.

[SFA Order T-10]

CARTER COAL CO.

#### TERMINATION OF POSSESSION

In accordance with the provisions of Executive Order No. 9536 (10 F.R. 3939) and the War Labor Disputes Act (57 Stat. 163), I find that the possession by the Government of the coal mines now in the possession of the Government pursuant to Order No. 2048 (10 F.R. 5121) should be terminated.

Accordingly, I order and direct that possession by the Government of the Olga No. 1, Olga No. 2, and Caretta coal mines of the Carter Coal Company, in the State of West Virginia, including any



and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and it is hereby terminated, and that there be conspicuously displayed at those mining properties copies of a notice in form and effect as follows:

*Notice.* Government possession of this coal mine, and of all property and assets used in connection with the operation thereof, has been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9536, pursuant to which Government possession was taken, may be concluded in an orderly manner.

The issuance of this order has been approved by the Director of the Office of Economic Stabilization in accordance with the provisions of Executive Order No. 9603 (10 F.R. 10960) and Executive Order No. 9699 (11 F.R. 1929).

J. A. KRUG,  
Secretary of the Interior.

MARCH 26, 1946.

[F. R. Doc. 46-5219; Filed, Mar. 28, 1946;  
1:40 p. m.]

## DEPARTMENT OF AGRICULTURE.

### Bureau of Animal Industry.

[Docket No. AO 16-A2]

### ANTI-HOG-CHOLERA SERUM AND HOG CHOLERA VIRUS

### NOTICE OF HEARING WITH RESPECT TO PROPOSED AMENDMENT

Notice of hearing with respect to proposed amendment to marketing agreement and B. A. I. Order No. 361 regulating the handling of anti-hog-cholera serum and hog-cholera virus.

Pursuant to the provisions of Public Act No. 320, 74th Cong., approved August 24, 1935 (49 Stat. 781; 7 U.S.C. 851 et seq.) and in accordance with the applicable rules of practice and procedure (9 CFR, Cum. Supp., 132.1 et seq.) approved June 2, 1943, notice is hereby given of a public hearing to be held in Room 218 Administration Building, United States Department of Agriculture, Washington, D. C., beginning at 10:00 a. m., e. s. t., April 15, 1946, with respect to proposed amendments to the marketing agreement and order regulating the handling of anti-hog-cholera serum and hog-cholera virus. These proposals have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence as to the general economic or marketing conditions which, in order to effectuate the declared policy of the aforesaid act, may necessitate the amendment hereinafter set forth.

The following amendment to the aforesaid marketing agreement has been proposed by Fidelity Laboratories, Inc., Chicago (9), Illinois; Grain Belt Supply Company, Omaha, Nebraska; American Co-Operative Serum Assn., Sioux City, Iowa; and Gregory Laboratory, Whitehall, Illinois.

Strike out paragraph 10 of section 1 of Article I, reading as follows: "Volume contract purchaser" means that class or classes of buyers comprising persons or agencies who regularly purchase, for delivery within a definite period of time, serum and virus in specified amounts, adequate, in the opinion of the control agency, to justify such special classification."

Copies of this notice of hearing and of the proposed amendment to the marketing agreement and order may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: March 28, 1946.

[SEAL] THOMAS J. FLAVIN,  
Assistant to the Secretary  
of Agriculture.

[F. R. Doc. 46-5261; Filed, Mar. 29, 1946;  
11:22 a. m.]

### Office of the Secretary.

#### CUDAHY BROTHERS Co.

#### ORDER TERMINATING POSSESSION

By virtue of the authority vested in me by the President of the United States under Executive Order No. 9685 (11 F.R. 989), dated January 24, 1946, I hereby find from the information available to me that there is no present interruption of production, as a result of existing or threatened strikes or other labor disturbances, at the plants and facilities of the Cudahy Brothers Company, located in and around Cudahy, Wisconsin, possession of which was taken by the Secretary of Agriculture under order dated January 25, 1946 (11 F.R. 1002), issued under said Executive Order. I therefore, terminate possession by the Government of such plants and facilities, effective as of 12:01 a. m., March 29, 1946.

Dated: March 28, 1946.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-5262; Filed, Mar. 29, 1946;  
11:22 a. m.]

### Production and Marketing Administration.

[CCC-360, Amdt. 1]

### DESIGNATED CANNED FOODS PRODUCED FROM DESIGNATED VEGETABLES FOR CANNING

#### AMENDMENT TO AGREEMENT

Whereas, pursuant to the provisions of section (11) of the Agreement with Respect to Designated Canned Foods Produced from Designated Vegetables for

Canning (CCC-360) (hereinafter called the "Agreement"), made and entered into as of May 1, 1945, by and between Commodity Credit Corporation (hereinafter called "Commodity"), a corporate agency of the United States of America, with offices at Washington, D. C., and --

----- with principal place of business at ----- Commodity reserved the right to amend the agreement by unilateral action upon notice as therein prescribed in the event the Director of Economic Stabilization, or the office which succeeds to his functions, amends Directive 60, as amended, so as to affect the provisions, or to direct termination, of the agreements entered into pursuant to said directive; and

Whereas, in the directive of February 7, 1946 (11 F.R. 1527), the Stabilization Administrator authorized and directed the Department of Agriculture to extend the 1945 production period to and including February 28, 1946, for tomatoes, and tomato products, and to extend the utilization of bulk or canned tomato puree, tomato paste and tomato sauces to these commodities produced up to and including February 28, 1946.

Now, therefore, Commodity hereby amends the agreement as follows:

1. The provisions in (c) of section (1) of the agreement are hereby deleted and the following provisions inserted in lieu thereof:

(c) "Period of production" means May 1, 1945 through December 31, 1945, for canned sweet corn, pea soup and green peas, and May 1, 1945 through February 28, 1946, for canned snap beans, tomatoes, tomato soup, tomato juice, tomato paste, tomato puree, tomato catsup, tomato cocktail and tomato juice contained in canned mixed vegetable juices.

2. The provisions in (m) of section (1) of the agreement are hereby deleted and the following provisions inserted in lieu thereof:

(m) "Contracted purchase" means any purchase of a designated vegetable for canning by canner during the period May 1, 1945 through December 29, 1945, for sweet corn and green peas, and May 1, 1945 through February 26, 1946, for snap beans and tomatoes, pursuant to a grower-canner acreage contract which was approved by the State Agricultural Conservation Committees of the state in which canner will produce one or more designated canned foods from such designated vegetable for canning.

3. The provisions in (n) of section (1) of the agreement are hereby deleted and the following provisions inserted in lieu thereof:

(n) "Open market purchase" means any purchase, except a contracted purchase, during the period May 1, 1945 through December 29, 1945, for sweet corn and green peas, and May 1, 1945 through February 26, 1946, for snap beans and tomatoes, for canning. This term shall also include the production of any designated vegetable for canning by, or for the account of, canner and delivery thereof, for canning, to any of canner's plants during the above periods.



This form of amendment has been filed with the Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1946.

[SEAL] COMMODITY CREDIT  
CORPORATION,  
G. G. ARMSTRONG,  
Acting President.

Attest:

MARION M. CRUMPLER,  
Assistant Secretary.

[F. R. Doc. 46-5263; Filed, Mar. 29, 1946;  
11:22 a. m.]

# FEDERAL COMMUNICATIONS COMMISSION.

[Docket 7428]

UNITED BROADCASTING CO., INC.

## ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of United Broadcasting Company, Inc., Silver Spring, Maryland, for construction permit; Docket No. 7428; File No. B1-P-4030.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of March 1946;

The Commission having under consideration the application of United Broadcasting Company, Inc. (File No. B1-P-4030; Docket No. 7428) for a construction permit for a new standard broadcast station to be operated on the frequency 690 kc with 1 kw power, limited time, in Silver Spring, Maryland;

It is ordered, That the application of United Broadcasting Company, Inc., be, and it is hereby, designated for hearing in a consolidated proceeding with the application of The Tower Realty Company (File No. B1-P-4490; Docket No. 7429) for a construction permit for a new standard broadcast station to be operated on the frequency 680 kc with 5 kw power, unlimited time, at Baltimore, Maryland, on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders to construct and operate the proposed station.
2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the installation and operation of the proposed station would be in compliance with the

Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That WPTF Radio Company (WPTF) operating on 680 kc with 50 kw power, unlimited time, at Raleigh, North Carolina, be, and it is hereby, made a party to these proceedings.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5174; Filed, Mar. 28, 1946;  
10:09 a. m.]

[Docket 7429]

TOWER REALTY CO.

## ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of The Tower Realty Company, Baltimore, Maryland, for construction permit; Docket No. 7429; File No. B1-P-4490.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of March 1946;

The Commission having under consideration the application of The Tower Realty Company (File No. B1-P-4490; Docket No. 7429) for a construction permit for a new standard broadcast station to be operated on the frequency 680 kc with 5 kw power, unlimited time, in Baltimore, Maryland;

It is ordered, That the application of The Tower Realty Company be, and it is hereby, designated for hearing in a consolidated proceeding with the application of United Broadcasting Company, Inc. (File No. B1-P-4030; Docket No. 7428) for a construction permit for a new standard broadcast station to be operated on the frequency 690 kc with 1 kw power, limited time, at Silver Spring, Maryland, on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders to construct and operate the proposed station.
2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

7. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That WPTF Radio Company (WPTF) operating on 680 kc with 50 kw power, unlimited time, at Raleigh, North Carolina, be and it is hereby, made a party to these proceedings.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5173; Filed, Mar. 28, 1946;  
10:09 a. m.]

[Docket 7430]

PARIS BROADCASTING CO.

## ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Paris Broadcasting Company, Paris, Tennessee, for construction permit; Docket No. 7430; File No. B3-P-4566.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 13th day of March 1946;

The Commission having under consideration the application of Paris Broadcasting Company (File No. B3-P-4566) for a construction permit for a new standard broadcast station to be operated on the frequency 1340 kc with 250 watts power, unlimited time, at Paris, Tennessee, together with a petition requesting that the said application be designated for hearing in consolidation with the application of Kentucky Lake Broadcasting System, Inc. (File No. B3-P-4528) requesting the same facilities at Paris;

It is ordered, That the above petition be granted; and

It is further ordered, That the application of Paris Broadcasting Company be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Kentucky Lake Broadcasting System, Inc., upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders to construct and operate the proposed station.
2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.



4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5172; Filed, Mar. 28, 1946;  
10:09 a. m.]

[Docket 7431]

KENTUCKY LAKE BROADCASTING SYSTEM,  
INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Kentucky Lake Broadcasting System, Inc., Paris, Tennessee, for construction permit; Docket No. 7431; File No. B3-P-4528.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of March 1946;

The Commission having under consideration the applications of Kentucky Lake Broadcasting System, Inc. (File No. B3-P-4528) and Paris Broadcasting Company (File No. B3-P-4566), both applications requesting construction permits for new standard broadcast stations to be operated on the frequency 1340 kc with 250 watts power, unlimited time, at Paris, Tennessee;

*It is ordered*, That the application of Kentucky Lake Broadcasting System, Inc., be, and it is hereby, designated for hearing in a Consolidated Proceeding with the application of Paris Broadcasting Company upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby,

and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5171; Filed, Mar. 28, 1946;  
10:09 a. m.]

[Docket No. 7432]

GONZALES BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Gonzales Broadcasting Company, Gonzales, Texas, for construction permit; Docket No. 7432; File No. B3-P-4546.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of March 1946;

The Commission having under consideration the application of Gonzales Broadcasting Company (File No. B3-P-4546) for a construction permit for a new standard broadcast station at Gonzales, Texas, requesting the frequency 1450 kc with 250 watts power, unlimited time, together with a petition requesting that the said application be designated for hearing in consolidation with the applications of Thomas G. Harris, Individually and as Trustee for Coleman Gay et al. (File No. B3-P-4355; Docket No. 7373), Austin, Texas; Charles W. Balthrope (File No. B3-P-4375; Docket No. 7374), San Antonio, Texas; and Express Publishing Company (File No. B3-P-4471; Docket No. 7391), San Antonio, Texas, all of which request the use of the frequency 1450 kc with 250 watts power, unlimited time, at their respective locations and which have been designated for hearing in a consolidated proceeding;

*It is ordered*, That the above petition be granted; and

*It is further ordered*, That the application of Gonzales Broadcasting Company be, and it is hereby, designated for hearing in a consolidated proceeding with the above applications upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and its members to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the

requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, are areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

*It is further ordered*, That the bills of particulars heretofore issued in these proceedings be, and the same are hereby, amended to include the application of Gonzales Broadcasting Company (File No. B3-P-4546; Docket No. 7432).

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5175; Filed, Mar. 28, 1946;  
10:09 a. m.]

[Docket No. 7433]

TAYLOR BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Taylor Broadcasting Company, Taylor, Texas, for construction permit; Docket No. 7433; File No. B3-P-4567.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of March 1946;

The Commission having under consideration the application of Taylor Broadcasting Company (File No. B3-P-4567) for a construction permit for a new standard broadcast station at Taylor, Texas, requesting the frequency 1450 kc with 250 watts power, unlimited time, together with a petition requesting that the said application be designated for hearing in consolidation with the applications of Thomas G. Harris, Individually and as Trustee for Coleman Gay et al. (File No. B3-P-4355; Docket No. 7373), Austin, Texas; Charles W. Balthrope (File No. B3-P-4375; Docket No. 7374), San Antonio, Texas; and Express Publishing Company (File No. B3-P-4471; Docket No. 7391), San Antonio, Texas, all of which request the use of the frequency 1450 kc with 250 watts power, unlimited time, at their respective locations and which have been designated for hearing in a consolidated proceeding;

*It is ordered*, That the above petition be granted; and

*It is further ordered*, That the application of Taylor Broadcasting Company be, and it is hereby, designated for hearing in a consolidated proceeding with the above applications upon the following issues:



1. To determine the legal, technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

*It is further ordered*, That the bills of particulars heretofore issued in these proceedings be, and they are hereby, amended to include the application of Taylor Broadcasting Company (File No. B3-P-4567; Docket No. 7433).

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5176; Filed, Mar. 28, 1946;  
10:10 a. m.]

[Docket No. 7434]

#### INDIANA BROADCASTING CORP. (WIBC)

#### ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Indiana Broadcasting Corporation (WIBC), Indianapolis, Indiana, for construction permit; Docket No. 7434; File No. B4-P-4319.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of March 1946;

The Commission having under consideration the application of Indiana Broadcasting Corporation (WIBC) (File No. B4-P-4319; Docket No. 7434) for a construction permit to increase power from 5 kw to 50 kw, unlimited time, on its present frequency of 1070 kc at Indianapolis, Indiana, together with a petition requesting that the said application be designated for hearing in consolidation with the applications of Mid-America Broadcasting Corporation (File No. B2-P-2760; Docket No. 6040) and Kentucky Broadcasting Corporation, Inc. (WINN) (File No. B2-P-4169; Docket No. 7354), both requesting use of the frequency 1080 kc with 1 kw night and 5 kw day, with directional antennas, unlimited

time, at Louisville, Kentucky, which on February 1, 1946, were designated for hearing in a consolidated proceeding;

*It is ordered*, That the above petition be granted; and

*It is further ordered*, That the application of Indiana Broadcasting Corporation (WIBC) be, and it is hereby, designated for hearing in a consolidated proceeding with the above applications upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders to construct and operate Station WIBC as proposed.

2. To determine the areas and populations which would gain or lose primary service through the operation of Station WIBC as proposed and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of Station WIBC as proposed would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of Station WIBC as proposed would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

7. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

*It is further ordered*, That the bills of particulars heretofore issued in these proceedings be, and they are hereby, amended to include the application of Indiana Broadcasting Corporation (WIBC) (File No. B4-P-4319; Docket No. 7434).

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5170; Filed, Mar. 28, 1946;  
10:09 a. m.]

[Docket No. 7439]

#### RADIO ASHEVILLE, INC.

#### ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Radio Asheville, Inc., Asheville, North Carolina, for construction permit; Docket No. 7439; File No. B3-P-4407.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th March, 1946;

The Commission having under consideration the applications of Radio Asheville, Inc. (File No. B3-P-4407; Docket No. 7439) and Redeye Broadcasting Company, a partnership composed of Monroe M. Redden and William A. Egerton (File No. B3-P-4532; Docket No. 7438), both for construction permits for new standard broadcast stations to be operated on the frequency 1450 kc with 250 watts power, unlimited time, at Asheville and Hendersonville, North Carolina, respectively;

*It is ordered*, That the application of Radio Asheville, Inc., be, and it is hereby designated for hearing in a consolidated proceeding with the application of Redeye Broadcasting Company upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

6. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5168; Filed, Mar. 28, 1946;  
10:08 a. m.]

[Docket No. 7437]

#### KVGB, INC.

#### ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of KVGB, Inc. (KVGB), Great Bend, Kansas, for construction permit; Docket No. 7437; File No. B4-P-4459.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th March, 1946;

The Commission having under consideration the application of KVGB, Inc. (KVGB), for a construction permit to change frequency from 1400 kc to 1590 kc and increase power from 250 watts



to 1 kw, unlimited time, at Great Bend, Kansas;

*It is ordered*, That this application be designated for hearing in a consolidated proceeding with the application of Caprock Broadcasting Company (File No. B3-P-4090) for a construction permit for a new standard broadcast station to be operated on the frequency 1590 kc with 1 kw power, unlimited time, employing a directional antenna both day and night at Lubbock, Texas, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, its officers, directors, and stockholders to construct and operate Station KVGB as proposed.

2. To determine the areas and populations which would gain or lose primary service through the operation of Station KVGB as proposed, and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of Station KVGB as proposed would involve objectionable interference with any existing or proposed broadcast service, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of Station KVGB as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

6. To determine, upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5169; Filed, Mar. 28, 1946;  
10:09 a. m.]

[Docket No. 7435]

OGDEN BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Ogden Broadcasting Company, Inc., Ogden, Utah, for construction permit; Docket No. 7435; File No. B5-P-4553.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th of March, 1946;

The Commission having under consideration the application of Ogden Broadcasting Company, Inc. (File No. B5-P-4553; Docket No. 7435) for a construction permit for a new standard broadcast station at Ogden, Utah, requesting the frequency 1490 kc with 250 watts power, unlimited time, together with a petition requesting that the said application be

designated for hearing in consolidation with the applications of United Broadcasting Company (File No. B5-P-4107; Docket No. 6885), Ogden, Utah; Telegram Publishing Company (File No. B5-P-4180; Docket No. 7057), Salt Lake City, Utah, and James B. Littlejohn (File No. B5-P-4249; Docket No. 7058), Ogden, Utah, all requesting 1490 kc with 250 watts power, unlimited time, which were designated for hearing in a consolidated proceeding;

*It is ordered*, That the above petition be granted; and

*It is further ordered*, That the application of Ogden Broadcasting Company, Inc., be and it is hereby designated for hearing in a consolidated proceeding with the above applications upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

6. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

*It is further ordered*, That the bills of particulars issued previously in these proceedings be, and the same are hereby amended to include the application of Ogden Broadcasting Company, Inc.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5177; Filed, Mar. 28, 1946;  
10:10 a. m.]

[Docket No. 7441]

ASSOCIATED BROADCASTERS, INC. (WEST)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Associated Broadcasters, Inc. (WEST), Easton, Pennsylvania, for construction permit; Docket No. 7441; File No. B2-P-4517.

At a session of the Federal Communications Commission held at its offices in

Washington, D. C., on the 13th day of March 1946;

The Commission having under consideration the applications of Associated Broadcasters, Inc. (WEST) (File No. B2-P-4517) for a construction permit to change frequency from 1400 kc to 1230 kc, operating with 250 watts power, unlimited time at Easton, Pennsylvania, and the following applications which have heretofore been designated for hearing in a consolidated proceeding: (1) Easton Publishing Company (File No. B2-P-4212), Easton, Pennsylvania; (2) Lewis Windmuller (File No. B2-P-4374), Allentown, Pennsylvania; and (3) Steel City Broadcasting Company of Bethlehem, Inc. (File No. B2-P-4428), Allentown, Pennsylvania, all for construction permits for new standard broadcast stations to be operated on the frequency 1230 kc with 250 watts power, unlimited time at their respective locations;

*It is ordered*, That the application of Associated Broadcasters, Inc. (WEST) be, and it is hereby designated for hearing in a consolidated proceeding with the above applications upon the following issues:

1. To determine the technical, financial and other qualifications of the applicant, its officers, directors and stockholders to construct and operate Station WEST as proposed.

2. To determine the areas and populations which would gain or lose primary service through the operation of Station WEST as proposed and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of Station WEST as proposed would involve objectionable interference with any existing or proposed broadcast service, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of Station WEST as proposed would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

6. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

*It is further ordered*, That the bills of particulars heretofore issued in these proceedings be, and they are hereby amended to include the application of Associated Broadcasters, Inc. (WEST) (File No. B2-P-4517).

By the Commission.

[SEAL]

T. J. SLOWIE  
Secretary.

[F. R. Doc. 46-5165; Filed, Mar. 28, 1946;  
10:08 a. m.]



[Docket No. 7442]

## NEWMAN BROADCASTING CO.

## ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Newman Broadcasting Company, Newman, Georgia, for construction permit; Docket No. 7442; File No. B3-P-4487.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of March, 1946;

The Commission having under consideration the application of Newman Broadcasting Company (File No. B3-P-4487) for a construction permit for a new standard broadcast station to be operated on the frequency 1300 kc with 1 kw power, unlimited time, employing a directional antenna for nighttime use, at Newman, Georgia.

It is ordered, That this application be designated for hearing in a consolidated proceeding with the application of Volunteer State Broadcasting Company, Inc. (File No. B3-P-4531) for a construction permit for a new standard broadcast station to be operated on the frequency 1300 kc with 5 kw power, unlimited time, employing a directional antenna for nighttime use at Nashville, Tennessee, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and its members to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

7. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5166; Filed, Mar. 28, 1946; 10:08 a. m.]

[Docket No. 7440]

## FRONTIER BROADCASTING CO., INC. (KNOW)

## ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Frontier Broadcasting Company, Inc. (KNOW), Austin, Texas, for construction permit; Docket No. 7440; File No. B3-P-4042.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of March, 1946;

The Commission having under consideration the application of Frontier Broadcasting Company, Inc. (KNOW) (File No. B3-P-4042; Docket No. 7440) for a construction permit to change frequency from 1490 kc to 1420 kc, increase power from 250 watts to 1 kw, 5 kw—L. S. and install a directional antenna for night use, unlimited time at Austin, Texas, together with the applications of Thomas G. Harris (File No. B3-P-4355) Austin, Texas; Charles W. Balthrope (File No. B3-P-4375), San Antonio, Texas; and Express Publishing Company (File No. B3-P-4471), San Antonio, Texas, all requesting use of frequency 1450 kc with 250 watts power, unlimited time, at their respective locations, which applications have heretofore been designated for hearing in a consolidated proceeding;

It is ordered, That the application of Frontier Broadcasting Company, Inc., (KNOW), be, and it is hereby designated for hearing in a consolidated proceeding with the above applications upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, its officers, directors, and stockholders to construct and operate Station KNOW as proposed.

2. To determine the areas and populations which would gain or lose primary service through the operation of Station KNOW as proposed, and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of Station KNOW as proposed would involve objectionable interference with any existing or proposed broadcast service, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of Station KNOW as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

6. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

7. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Bills of Particulars issued previously in these proceedings be, and the same are hereby amended to include the application of Frontier Broadcasting Company, Inc. (KNOW).

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-5167; Filed, Mar. 28, 1946; 10:08 a. m.]

## FEDERAL POWER COMMISSION.

[Docket No. G-580]

## NATURAL GAS INVESTIGATION

## ORDER FIXING DATE OF HEARING AND TIME FOR FILING STATEMENT

MARCH 22, 1946.

The Commission orders that:

(A) A hearing be held in this investigation beginning at 10 a. m., June 17, 1946, in the Courtroom of the U. S. Court of Appeals for the District of Columbia, Fifth and E Streets NW., Washington, D. C.

(B) Any parties desiring to file statements in respect of any matters pertinent to this investigation shall do so not later than 30 days following the close of the hearing herein ordered to be held in Washington, D. C.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-5256; Filed, Mar. 29, 1946; 9:28 a. m.]

[Docket No. G-706]

## PANHANDLE EASTERN PIPE LINE CO.

## NOTICE OF APPLICATION

MARCH 29, 1946.

1. Notice is hereby given that on March 21, 1946, an application was filed with the Federal Power Commission by Panhandle Eastern Pipe Line Company (hereinafter referred to as "Applicant" or "Panhandle"), a Delaware corporation with its principal offices at Kansas City, Missouri, and Chicago, Illinois, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the applicant to construct and operate certain pipe line looping, additional compressor facilities and certain general construction and installation changes, hereinafter more particularly described, which, if constructed, are estimated to increase the designed capacity of Applicant's existing pipe line system from approximately 383,000 Mcf to a total designed delivery capacity of approximately 473,000 Mcf per day.

2. Panhandle presently owns and operates (under certificates of public convenience and necessity heretofore issued by the Commission) an integrated natural gas pipe line system, situated in the States of Texas, Oklahoma, Kansas, Missouri, Illinois, Indiana, Ohio and Michi-



gan. It produces natural gas from leasehold acreages located in the States of Texas and Kansas, purchases natural gas produced in the States of Texas, Oklahoma and Kansas, and is engaged in the transportation and sale of such gas in interstate commerce for resale for ultimate public consumption for domestic, commercial, industrial and other uses in the areas of the States of Texas, Kansas, Missouri, Illinois, Indiana, Ohio and Michigan.

3. The facilities which Panhandle seeks authorization to construct and operate are divided into two main groups, as follows:

(a) "Group A" comprises the facilities which applicant proposes to construct and place in operation during the year 1946. Applicant estimates these facilities will increase its system peak-day designed capacity from 383,000 Mcf to approximately 393,000 Mcf, and estimates such facilities will cost \$6,216,000.

(b) "Group B" comprises the facilities proposed to be constructed and placed in operation during the year 1947. Applicant estimates these facilities will increase its system peak-day designed capacity from approximately 393,000 Mcf to approximately 473,000 Mcf, and estimates such facilities will cost \$21,097,000.

4. The facilities which Applicant seeks authorization to construct and operate are described by groups, with estimated costs as follows:

#### GROUP A FACILITIES

This group consists of (a) field facilities to be located at points west of Applicant's Liberal (Kansas) compressor station, and (b) facilities to be located at Liberal compressor station and at points on Applicant's system east of said station.

(a) *West of Liberal (Kansas) Compressor Station.* (1) Sunray Compressor Station, a new field compressor station to be located near Sunray, Moore County, Texas, with 3,000-horsepower capacity estimated to cost \$731,000.

(2) Hansford Compressor Station, installation at this station in Hansford County, Texas, 2,400-horsepower additional capacity at an estimated cost of \$500,000.

(3) Hugoton Field Compressor Station, installation at this station in Stevens County, Kansas, of 1,600-horsepower additional capacity, estimated to cost \$350,000.

(4) Construction of 50 miles of 18-inch O. D. steel-welded trunk line from the Shamrock Oil & Gas Company's McKee plant located in Moore County, Texas, in a northeasterly direction to Applicant's Hansford Compressor Station, with an estimated cost of \$1,125,000.

(b) *Liberal (Kansas) Compressor Station and at points east of said station.*

(1) Liberal Compressor Station, compressor cylinder and valve changes on existing equipment and piping at this station in Seward County, Kansas, with estimated cost of \$20,000.

(2) Olpe Compressor Station, additional 800-horsepower compressor unit at this station located in Lyon County, Kansas, with estimated cost of \$90,000.

(3) Glenarm Compressor Station, additional 3,200-horsepower capacity in this compressor station located in Sangamon County, Illinois, with estimated cost of \$610,000.

(4) Tuscola Compressor Station, additional 3,200-horsepower capacity at this station located in Douglas County, Illinois, with estimated cost of \$650,000.

(5) Zionsville Compressor Station, additional 3,200-horsepower compressor capacity at this station located in Marion County, Indiana, with estimated cost of \$610,000.

(6) Edgerton Compressor Station, additional 3,200-horsepower compressor capacity at this station located in Allen County, Indiana, with estimated cost of \$610,000.

(7) Construction of 24 miles of 26-inch O. D. steel-welded loop line extending from Tuscola (Illinois) Compressor Station, in a northeasterly direction, parallel with existing loop lines Nos. 100 and 200 and terminating with an interconnection with said loop line No. 200, with an estimated cost of \$920,000.

Total estimated cost of construction of "Group A" facilities, \$6,216,000. The field facilities located west of Liberal Compressor Station enumerated in subparagraphs (1), (2) and (4) of subparagraph (a) above, Applicant states, are required in connection with its contract with The Shamrock Oil and Gas Corporation, dated December 28, 1945, for furnishing to Applicant of additional supplies of natural gas produced in Moore and Sherman Counties, Texas, under which contract Applicant, among other things, undertakes to proceed with the construction of said facilities and "use its best efforts to complete all such installations so that first deliveries may be commenced by June 1, 1946, or as soon thereafter as may be practical."

#### GROUP B FACILITIES

This group consists of (a) facilities proposed to be located at points on Applicant's system west of Liberal Compressor Station, and (b) facilities proposed to be located at Liberal Compressor Station and at points on Applicant's system east of said station.

(a) *West of Liberal (Kansas) Compressor Station.* (1) Sunray Compressor Station, additional 1000 horsepower compressor capacity at this station located in Moore County, Texas, with an estimated cost of \$200,000.

(2) Hugoton Compressor Station, additional 2400 horsepower compressor capacity at this station in Stevens County, Kansas, with estimated cost of \$450,000.

(3) Guymon Compressor Station, a new compressor station with 5000 horsepower capacity to be located in Hansford County, Texas, with an estimated cost of \$1,000,000.

(4) Construction of 34 miles of 18" O. D. steel welded loop line, extending from the Hugoton Compressor Station and terminating at the Liberal Compressor Station, with an estimated cost of \$765,000.

(b) *At Liberal Station and at points on the system east of Liberal Station.*

(1) Liberal compressor Station, additional 6000 horsepower compressor ca-

capacity at this station with estimated cost of \$1,200,000.

(2) Construction of 40.26 miles of 26" O. D. steel welded third loop line extending from Liberal (Kansas) Compressor Station in a northeasterly direction paralleling existing loop lines Nos. 100 and 200 and terminating with an interconnection with said line No. 200, with an estimated cost of \$1,573,000.

(3) Construction of 34.47 miles of 26" O. D. steel welded third loop line extending from the Greensburg (Kansas) Compressor Station in a northeasterly direction paralleling existing loop lines Nos. 100 and 200 and terminating with an interconnection with said line No. 200, with an estimated cost of \$1,356,000.

(4) Construction of 41.72 miles of 26" O. D. steel welded third loop line, consisting of two sections. The first section is proposed to extend from the Haven (Kansas) Compressor Station in a northeasterly direction paralleling existing loop lines Nos. 100 and 200, a distance of 10 miles, and terminating with an interconnection with said loop line No. 200; the second section is proposed to extend from a point of interconnection with said line No. 200 near Whitewater, Butler County, Kansas, approximately 31.72 miles to another point of interconnection with said line. Estimated cost is \$1,890,000.

(5) Construction of 35.29 miles of 26" O. D. steel welded third loop line extending from Olpe (Kansas) Compressor Station in a northeasterly direction parallel with existing loop lines Nos. 100 and 200 and terminating with an interconnection with said line No. 200, with an estimated cost of \$1,379,000.

(6) Construction of 47.21 miles of 26" O. D. steel welded third loop line extending from Louisburg (Kansas) Compressor Station in a northeasterly direction paralleling existing loop lines Nos. 100 and 200 and terminating with an interconnection with said line No. 200, with an estimated cost of \$1,816,000.

(7) Construction of 33.65 miles of 26" O. D. steel welded third loop line extending from Houstonia (Missouri) Compressor Station in a northeasterly direction paralleling existing loop lines Nos. 100 and 200 and terminating with an interconnection with said line No. 200, with an estimated cost of \$1,275,000.

(8) Construction of 22.69 miles of 26" O. D. steel welded third loop line extending from Centralia (Missouri) Compressor Station in a northeasterly direction paralleling existing loop lines Nos. 100 and 200 and terminating with an interconnection with said line No. 200, with an estimated cost of \$858,000.

(9) Construction of 19.13 miles of 26" O. D. steel welded third loop line extending from Pleasant Hill (Illinois) Compressor Station in a northeasterly direction paralleling existing loop lines Nos. 100 and 200, and terminating with an interconnection with said loop line No. 200, with an estimated cost of \$762,000.

(10) Construction of 17.16 miles of 26" O. D. steel welded third loop line extending from Glenarm (Illinois) Compressor Station in a northeasterly direction paralleling existing loop lines



Nos. 100 and 200 and terminating with an interconnection with line No. 200, with an estimated cost of \$682,000.

(11) Construction of 28.28 miles of 26" O. D. steel welded loop line extending from a point of interconnection with existing 24" line east of Zionsville (Indiana) Compressor Station and terminating with an interconnection with the Edgerton (Indiana) Compressor Station, with an estimated cost of \$1,070,000.

(12) Construction of 36.90 miles of 26" O. D. steel welded loop line extending from a point of interconnection with existing 24" loop line in Defiance County, Ohio (northeast of Edgerton Compressor Station), in a northeasterly direction paralleling existing 22" single line, and terminating with an interconnection with said 22" line at a point in Lenawee County, Michigan, with an estimated cost of \$1,481,000.

(13) *General construction and installation changes.* In addition to the construction of the segment of loop line described in subparagraphs (1) through (11) above, Applicant proposes to retire all presently installed gate valves located at or near the proposed point of interconnection of said sections of new loop lines with main line No. 200 and install higher pressure valves at such points, with an estimated cost of \$800,000.

(14) *River crossings.* Necessary river crossings proposed to be installed in connection with the construction of the proposed additional loop lines at the Arkansas River in Reno County, Kansas, at Neosho River in Lyon County, Kansas, and at Sangamon River in Sangamon County, Illinois, with estimated cost of \$300,000.

(15) Necessary valve and pipe changes at compressor stations located on main transmission line system, due to increase in operating pressures, with estimated cost of \$2,240,000.

Total estimated cost of "Group B" facilities, \$21,097,000.

#### Summary

Estimated total cost of "Group A" facilities.....	\$6,216,000
Estimated total cost of "Group B" facilities.....	21,097,000
<hr/>	
Total estimated cost of construction of "Group A" and "Group B" facilities.....	\$27,313,000

5. Applicant proposes to finance the cost of the construction of "Group A" facilities from current funds. As to the cost of "Group B" facilities, Applicant states that it proposes to finance such cost by methods satisfactory to the Commission but that the particular method thereof has not yet been fully determined. A full report of the method finally determined upon, Panhandle says, will be made at the hearing.

6. Applicant says it owns and controls reserves of gas adequate to supply its present market requirements and the increased market requirements contemplated by this application for a period of more than 25 years.

7. The facilities covered by this application, Applicant says, will constitute an

integral part of its general pipe line system and will be supervised and operated with such system. Due to that fact and the present situation with reference to fluctuating operating costs, Panhandle says, it is impractical at this time to allocate operating expenses and fixed charges specifically attributable to such facilities. However, Applicant states, it is estimated that the unit cost of producing and transporting the additional volumes of gas made available through the construction of the proposed facilities will not be in excess of the unit cost of gas produced and transported under existing facilities.

8. The facilities proposed, Panhandle states, comprise a construction program based upon its estimated requirements for expansion within a reasonable future period. Upon the completion and operation of these facilities, according to the Applicant, continuous flow of gas will be available at all delivery points on its system sufficient to deliver an additional 90,000,000 cubic feet of gas per day to the markets on said system—providing additional volumes of gas available for market requirements, particularly on the eastern end of its system.

9. Panhandle says in its application that a situation is presented which justifies, and requires, the granting of a temporary certificate authorizing it to construct and place in operation the facilities embraced in "Group A", in order to prevent the occurrence, during the winter of 1946-1947, of such an emergency as might arise if normal winter temperatures prevail and increased peak demands occur on its system.

10. Panhandle then asks that a temporary certificate of public convenience and necessity be issued by the Commission to authorize the construction and operation of the "Group A" facilities and further, that the application be set for hearing at an early date, and that thereafter a permanent certificate be issued to cover the construction and operation of said "Group A" facilities and also the "Group B" facilities.

11. Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the Provisional Rules of Practice and Regulations under the Natural Gas Act, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

12. Any person desiring to be heard or to make any protest with reference to the application of the Panhandle Company should, on or before the 15th day of April, 1946, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's Provisional Rules of Practice and Regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-5312; Filed, Mar. 29, 1946; 11:48 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[S. O. 481]

### UNLOADING OF COMMODITIES AT LAREDO, TEX.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of March A. D. 1946.

It appearing, that certain cars containing various commodities at Laredo, Texas, on The Texas Mexican Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

*Commodities at Laredo, Texas, be unloaded.* (a) The Texas Mexican Railway Company, its agents or employees, shall unload forthwith the following cars loaded with various commodities now on hand at Laredo, Texas.

Init. and No.	Contents
B&O 256298.....	Steel.
SP 83389.....	Bottles.
Mil 21750.....	Steel cylinders.
PRR 94391.....	Cement.
B&O 259284.....	Steel.
B&O 253752.....	Steel.
PRR 120875.....	Cement.
L&N 26026.....	Hoisting engine.

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2).)

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon The Texas Mexican Railway Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-5267; Filed, Mar. 29, 1946; 11:23 a. m.]

[S. O. 482]

### UNLOADING OF COMMODITIES AT LAREDO, TEX.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of March A. D. 1946.

It appearing, that certain cars containing various commodities at Laredo,



Texas, on the International-Great Northern Railroad Company (Guy A. Thompson, Trustee), have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

*Commodities at Laredo, Texas, be unloaded.* (a) The International-Great Northern Railroad Company (Guy A. Thompson, Trustee), its agents or employees, shall unload forthwith the following cars loaded with various commodities now on hand at Laredo, Texas.

Int. & No.	Contents
Erie 97126	Machinery.
Erie 7381	Boilers.
Wab. 46194	Machinery.
DRGW 69394	Ground talc.
PRR 362763	Lumber.
GTW 591517	Enamelware.
CB&Q 31130	Car valves.
Sou. 51564	Steel tanks.
Sou. 11601	Refrigerators.
NP 4875	Machinery.
Erie 95010	Machinery.
UP 161358	Machinery.
ACL 46714	Machinery.
NKP 13288	Enamelware.
DRGW 65150	Power shovel.
SRLX 3627	Lard.
ATSF 142188	Empty cans.

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, that a copy of this order and direction shall be served upon the International-Great Northern Railroad Company (Guy A. Thompson, Trustee), and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-5268; Filed, Mar. 29, 1946;  
11:24 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6064]

EUGENE MUNK JOHNSON

In re: Estate of Eugene Munk Johnson, deceased; File No. D-34-839; E. T. sec. 13788.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Sandor Munk, Laczi Munk, Samuelne Merder, Sandorne Lorjan and Sandorne Devenyo, and each of them, in and to the Estate of Eugene Munk Johnson, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

#### Nationals and Last Known Address

Sandor Munk, Hungary.  
Laczi Munk, Hungary.  
Samuelne Merder, Hungary.  
Sandorne Lorjan, Hungary.  
Sandorne Devenyo, Hungary.

That such property is in the process of administration by Charles Munk and Olga Reschowsky, as Executors, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 19, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-5217; Filed, Mar. 28, 1946;  
11:34 a. m.]

[Vesting Order CE 211]

#### COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 22, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.



## EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Kristine Bruvik.....	Norway.....	Estate of John Bruvik, deceased, in the Superior Court of the State of California, in and for the County of San Joaquin, No. 17257.	\$1,551.03	Helge Bruvik, Administrator of the Estate of John Bruvik, deceased, 421 East Hampton St., Stockton, Calif.	\$17.17
<i>Item 2</i>					
Helga Ross.....	Norway.....	Same.....	1,551.03	Same.....	17.17
<i>Item 3</i>					
Anna Sangstad.....	Norway.....	Same.....	1,551.03	Same.....	17.17
<i>Item 4</i>					
Inga Bruvik.....	Norway.....	Same.....	1,551.03	Same.....	17.17
<i>Item 5</i>					
Margit Bruvik.....	Norway.....	Same.....	1,551.03	Same.....	17.16
<i>Item 6</i>					
Anfin Bruvik.....	Norway.....	Same.....	1,551.03	Same.....	17.16
<i>Item 7</i>					
Abraham Pagel.....	Poland.....	Estate of Leopold Pagel, deceased, in the Superior Court of California, in and for the County of Los Angeles, No. 190925	1,382.81	Harris Trust & Savings Bank, Chicago, Ill.; account in the name of the Consulate General of Poland in Trust for Abraham Pagel, No. 39622.	56.00

[F. R. Doc. 46-5218; Filed, Mar. 28, 1946; 11:34 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[MPR 591, Order 397]

H. D. Co.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, It is ordered:

(a) The maximum net prices, for sales by any person of the following brass tank flush valve manufactured by H. D. Company, Huntington Park, California, and as described in the application dated January 17, 1946, shall be:

- |  |        |
|--|--------|
| (1) On sales to manufacturers:   | Each   |
| Model D81-46, brass tank flush valve, 3 1/4" long, 4 1/2" wide, 12" high.....                  | \$0.81 |
| (2) On sales to plumbing and heating jobbers:  |        |
| Model D81-46, brass tank flush valve, 3 1/4" long, 4 1/2" wide, 12" high.....                  | .90    |
| (3) On sales to plumbing and heating contractors, installers, commercial and industrial users: |        |
| Model D81-46, brass tank flush valve, 3 1/4" long, 4 1/2" wide, 12" high.....                  | 1.14   |

(b) The maximum prices specified in (a) above shall be f. o. b. point of manufacture for sales by the manufacturer, and f. o. b. seller's shipping point for all other sellers.

(c) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(d) The maximum prices for sales on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or

before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except retailers upon resale.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5207; Filed, Mar. 28, 1946; 11:33 a. m.]

[MPR 591, Order 396]

YATES AMERICAN MACHINE CO.

## ADJUSTMENT OF MAXIMUM PRICES

Order No. 396 under section 16 (b) (1) of Maximum Price Regulation No. 591. Specified mechanical building equipment. Adjustment of maximum prices for sales of compressor and condensing units under 25 hp., manufactured by the Yates American Machine Company, Beloit, Wisconsin; Docket No. 6075-591.16-27.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 (b) (1) of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for Yates-American Machine Company of Beloit, Wisconsin.* (1) This order permits the Yates-American Machine Company of Beloit, Wisconsin, to increase by 8 percent per unit its properly established maximum net prices under Maximum Price Regulation No. 591 to each class of purchaser for the line of compressor and condensing units under 25 hp.

(2) The maximum net prices set forth in (1) above are subject to such dis-

counts and allowances including transportation allowances and price differentials at least as favorable as those which the manufacturer granted as a deduction from net prices to each class of purchaser on October 1, 1941, on comparable sales of commodities in the same general category.

(b) *Maximum prices for resellers.* The maximum price for sales by any reseller of the commodities for which adjustment is granted the Yates-American Machine Company under this order shall be his maximum price to each class of purchaser in effect March 28, 1946 plus the actual dollars-and-cents increase in acquisition cost resulting from the adjustment granted the manufacturer.

(c) *Notification to all purchasers.* The Yates-American Machine Company shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment is put into effect.

Order No. 396 under section 16 (b) (1) of Maximum Price Regulation No. 591 provides for an 8 percent increase in the net price of compressor and condensing units under 25 hp manufactured by the Yates-American Machine Company.

Resellers may add to their maximum prices in effect March 28, the actual dollars-and-cents increase in acquisition cost resulting from the adjustment granted the manufacturer.

(d) All prayers of the application of the Yates-American Machine Company not granted in this order are hereby denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5206; Filed, Mar. 28, 1946; 11:33 a. m.]



[Order 764 Under 3 (b)]

GOODYEAR TIRE AND RUBBER CO., INC.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 3 (b) (2) of the General Maximum Price Regulation, *It is ordered:*

(a) The maximum delivered prices per gallon for sales by any person of the following protective coatings manufactured by the Goodyear Tire and Rubber Company, Inc., Akron 16, Ohio, shall be:

Name of product	1-gallon cans	5-gallon cans	50-gallon drums
Resoweld top coat.....	\$5.85	\$5.40	\$5.20
Resoweld primer M-191-C.....	3.90	3.45	3.30
Resoweld thinner M-199-C.....	3.90	3.45	3.30

(b) No extra charge may be made for containers.

(c) The maximum prices established in (a) above shall be subject to the following discounts:

On sales to:

Industrial consumer: 20% off.

Jobbers: 20%-10% off.

Manufacturers: 20%-10%-10% off.

(d) With or prior to the first delivery of the aforesaid commodity to a jobber or dealer, the manufacturer shall furnish such jobber or dealer with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(e) All provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to sales covered by this order.

(f) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March, 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc-46-5197; Filed, Mar. 28, 1946;  
11:29 a. m.]

[Rev. SO 119, Order 131]

AMERICAN ABRASIVE METALS CO.

## ADJUSTMENT OF MAXIMUM PRICES

Order No. 131 under Revised Supplementary Order No. 119. Adjustment of maximum prices of Feralun iron stair treads manufactured by American Abrasive Metals Company of 460 Coit St., Irvington 11, N. J.; Docket No. 6075-RSO.119-27.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for American Abrasive Metals Company of Irvington, New Jersey.* (1) The above manufac-

turer may determine his maximum prices for his line of Feralun Iron Stair Treads by increasing by 27 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 131 under Revised Supplementary Order No. 119 authorizes a 27 percent increase in October 1, 1941 net prices for sales of Feralun Iron Stair Treads manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 131.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5209; Filed, Mar. 28, 1946;  
11:29 a. m.]

[Rev. SO 119, Order 132]

GILBERT AND BARKER MFG. CO.

## ADJUSTMENT OF MAXIMUM PRICES

Order No. 132 under Revised Supplementary Order No. 119. Adjustment of maximum prices of conversion oil burners manufactured by the Gilbert and Barker Manufacturing Company, of Cold Spring Avenue, West Springfield, Massachusetts; 6075-RSO-119-10.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Gilbert and Barker Manufacturing Company of West Springfield, Massachusetts.* (1) The above manufacturer may determine his maximum prices for his line of Conversion Oil Burners by increasing by 14.5 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their properly established maximum prices the actual dollars-and-cents increase in acquisition cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect.

Order No. 132 under Revised Supplementary Order No. 119 authorizes a 14.5 percent increase in October 1, 1941 net prices for sales of conversion oil burners manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 132.

(d) The adjustment granted by this order includes the adjustment granted under section 2.4 under Order 48 under section 22 of Maximum Price Regulation No. 591.

(e) All prayers for relief not granted herein are denied.

(f) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March, 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5210; Filed, Mar. 28, 1946;  
11:29 a. m.]



[Rev. SO 119, Order 133]

## MINNEAPOLIS SHOW CASE AND FIXTURE CO.

## ADJUSTMENT OF MAXIMUM PRICES

Order No. 133 Under Revised Supplementary Order No. 119. Adjustment of maximum prices of items of commercial refrigeration manufactured by the Minneapolis Show Case and Fixture Company, 1011 Washington Avenue, South, Minneapolis, Minnesota; 6075-RSO-119-7.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Minneapolis Show Case and Fixture Company, Minneapolis, Minnesota.* (1) The above manufacturer may determine his maximum prices for his line of commercial refrigeration products by increasing by 18 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category on October 1, 1941.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 133 under Revised Supplementary Order No. 119 authorizes an 18 percent increase in October 1, 1941 net prices for sales of commercial refrigeration products manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 133.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5211; Filed, Mar. 28, 1946;  
11:29 a. m.]

[Rev. SO 119, Order 134]

## CENTURY ENGINEERING CORP.

## ADJUSTMENT OF MAXIMUM PRICES

Order No. 134 Under Revised Supplementary Order No. 119. Adjustment of maximum prices of oil-fired furnace units and parts manufactured by the Century Engineering Corporation, 401 Third Street, South East, Cedar Rapids, Iowa; 6123-RSO-119-45.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Century Engineering Corporation of Cedar Rapids, Iowa.*

(1) The above manufacturer may determine his maximum prices for his line of oil-fired furnace units and parts by increasing by 20.5 percent his prices on these items in effect on October 1, 1941 to each class of purchasers.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 134 under Revised Supplementary Order No. 119 authorizes a 20.5 percent increase in October 1, 1941 net prices for sales of oil-fired furnace units and parts manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 134.

(d) The adjustment granted by this order include the increase authorized under section 2.5 to Order 48 under Maximum Price Regulation No. 591 for the products covered by this order.

(e) All prayers for relief not granted herein are denied.

(f) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5212; Filed, Mar. 28, 1946;  
11:30 a. m.]

[Rev. SO 119, Order 135]

## RICHMOND RADIATOR CO.

## AUTHORIZATION OF MAXIMUM PRICES

Order No. 135 under Revised Supplementary Order No. 119. Authorization of maximum prices for sales of cast iron plumbing fixtures manufactured by the Richmond Radiator Company, Uniontown, Pa.; Docket No. 6123-SO 119-42.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the provisions of Revised Supplementary Order No. 119, it is ordered:

(a) The Richmond Radiator Company of Uniontown, Pennsylvania may determine its maximum prices for its line of cast iron plumbing fixtures, exclusive of all fittings and trimmings, by increasing by 18% its prices in effect on October 1, 1941 to each class of purchaser.

(b) Since the provisions of this order are not intended to reduce properly established maximum prices, the Richmond Radiator Company may continue to use as its maximum prices to each class of purchaser for its line of cast iron plumbing fixtures, exclusive of all fittings and trimmings, its properly established prices under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (a) above.

(c) The Richmond Radiator Company, Uniontown, Pennsylvania shall notify, in writing, each of its purchasers at or before the issuance of the first invoice after the effective date of this order of the actual dollars-and-cents increase for each item of cast iron plumbing fixtures, exclusive of all fittings and trimmings, over its properly established maximum price in effect on March 28, 1946 to that class of purchaser.

(d) The maximum price for sale by any reseller of the cast iron plumbing fixtures, exclusive of all fittings and trimmings, manufactured by the Richmond Radiator Company shall be his properly established price in effect on March 28, 1946 to each class of purchaser



plus the actual dollars-and-cents increase in acquisition cost resulting from the increase granted the manufacturer under (a) above.

A seller shall not be considered a "reseller" within the meaning of this paragraph when he uses the cast iron plumbing fixtures exclusive of all fittings and trimmings on or in connection with the sale of another article (such as a sink cabinet) and his maximum price for the cast iron plumbing fixtures and the other article is established on the basis of a lump sum.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5213; Filed, Mar. 28, 1946;  
11:30 a. m.]

[Rev. SO 119, Order 136]

GENERAL MOTORS CORP.

#### ADJUSTMENT OF MAXIMUM PRICES

Order No. 136 under Revised Supplementary Order No. 119. Adjustment of maximum prices for sale of mechanically operated commercial refrigeration and summer air conditioning equipment and accessories and repair parts, and electric storage water heaters and repair parts, manufactured and sold by the Frigidaire Division, General Motors Corporation, Dayton, Ohio; Docket No. 6123-SO 119.45.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Frigidaire Division, General Motors Corporation, Dayton, Ohio.* (1) The above manufacturer may determine his maximum prices for his line of mechanically operated commercial refrigeration and summer air conditioning equipment and accessories and repair parts, and electric storage water heaters and repair parts by increasing by 8 percent his prices on those items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their properly established maximum prices the actual dollars-and-cents increase in acquisition cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 136 under Revised Supplementary Order No. 119 authorizes an 8 percent increase in October 1, 1941 net prices for sales of mechanically operated commercial refrigeration and summer air conditioning equipment and accessories and repair parts, and electric storage water heaters and repair parts, manufactured by this company:

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 136.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5214; Filed, Mar. 28, 1946;  
11:30 a. m.]

GOODE MINING CO., BOX 241, LONDON, KY., GOODE MINING CO. MINE, PITTSBURGH SEAM, MINE INDEX NO. 7687, LAUREL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, EAST BERNSTADT, KY., F. O. B. III, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21					
Price classification.....	M	M	M	M	K	K	J	G	E	G	D	K	K	K					
Rail shipment and railroad fuel.....	380	380	375	375	375	365	345	340	340	375	330	315	310	310					
Truck shipment.....	395	375	350	350	335	310	275	270											

DICK LAYNE COAL CO., BETSEY LAYNE, KY., DICK LAYNE COAL CO. MINE, ELPHORN NO. 1 SEAM, MINE INDEX NO. 7661, FLOYD COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, BETSEY LAYNE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	H	H	H	H	H	H	G	E	C	E	C	H	H	H
Price classification.....	395	390	375	375	360	350	330	330	330	385	315	310	300	295
Rail shipments and railroad fuel.....	420	400	365	365	335	315	275	270						
Truck shipment.....														

MILLER'S FORK COAL CO., BOX 247, NORTH TAZEWELL, VA., MILLER'S FORK COAL CO. MINE, UPPER BANNER SEAM, MINE INDEX NO. 7686, RUSSELL COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT, SWORDS CREEK, VA., F. O. G. 20, DEEP AND STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	M	M	M	M	K	K	J	F	C	E	D	K	K	K
Price classification.....	365	365	360	360	360	350	330	330	330	385	315	300	295	295
Rail shipments and railroad fuel.....	395	375	350	350	335	310	275	270						
Truck shipment.....														

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5198; Filed, Mar. 28, 1946;  
11:34 a. m.]

[MPR 120, Order 1615]

GOODE MINING CO. ET AL.

#### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120. It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

[SO 142, Order 60]

ABEGG & REINHOLD CO., LTD.

#### ADJUSTMENT OF MAXIMUM PRICES

Order No. 60 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. Abegg & Reinhold Co., Ltd.; Docket No. 6083-S. O. 142-136-166.

For the reasons set forth in an opinion issued simultaneously and filed with the



Division of the Federal Register and pursuant to section 2 (c) of Supplementary Order No. 142, *It is ordered:*

(a) The maximum list prices for sales by the Abegg & Reinhold Co., Ltd., Los Angeles, California, of button inserts, shall be as follows, subject to the discounts, charges and allowances in effect to a purchaser of the name class just prior to the issuance of this order:

BUTTON INSERTS

Type	Number of pieces per set	Maximum price per set
Two-man type:		
3 1/2	32	\$72.00
4 1/2	64	96.00
5 1/2	64	96.00
6 1/2	64	96.00
3 1/2 x 2 3/4	32	92.80
3 1/2 x 2 1/2	32	92.80
4 1/2 x 3 1/2	64	118.40
5 1/2 x 4 1/2	64	118.40
6 1/2 x 5 1/2	64	118.40
Short unitized type:		
3 1/2	60	90.00
4 1/2	60	90.00
5 1/2	90	135.00
6 1/2	90	135.00
7	90	135.00
3 1/2 x 2 3/4	60	111.00
3 1/2 x 2 1/2	60	111.00
4 1/2 x 3 1/2	60	111.00
5 1/2 x 4 1/2	90	166.50
6 1/2 x 5 1/2	90	166.50
Long unitized type:		
3 1/2	72	108.00
4 1/2	72	108.00
5 1/2	108	162.00
6 1/2	108	162.00
3 1/2 x 2 3/4	72	133.20
3 1/2 x 2 1/2	72	133.20
4 1/2 x 3 1/2	72	133.20
5 1/2 x 4 1/2	108	199.80
6 1/2 x 5 1/2	108	199.80

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order by the percentage by which his net invoiced cost has been increased by reason of this order.

(c) The Abegg & Reinhold Co., Ltd., shall notify each purchaser who buys the products listed in paragraph (a) above for resale of the percentage by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) On or before September 15, 1946, the Abegg & Reinhold Co., Ltd., shall file with the Machinery Branch, Office of Price Administration, Washington, D. C., a statement of sales for the first six months of 1946 of the items listed in paragraph (a) and the dollar value of these sales at October 1, 1941 maximum prices compared with maximum prices approved by this office.

(e) All requests not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5216; Filed, Mar. 28, 1946; 11:31 a. m.]

[SO 142, Order 59]

PHILLIPS MINE AND MILL SUPPLY CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 59 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. Phillips Mine and Mill Supply Company. Docket No. 6083-S. O. 142-136-320.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 2 of Supplementary Order 142; *It is ordered:*

(a) The maximum prices for sales by the manufacturer Phillips Mine and Mill Supply Company, Pittsburgh, Pennsylvania, of all its products which are covered by any of the regulations listed in Supplementary Order No. 142, shall be determined by increasing by 28.5% the maximum prices for these products in effect just prior to the issuance of this order.

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the dollar-and-cents amount by which his net invoiced cost has been increased by reason of this order.

(c) The Phillips Mine and Mill Supply Company, shall notify each purchaser who buys the products listed in paragraph (a) above for resale of the dollar-and-cents amount by which this order permits the reseller to increase his maximum net prices for these products. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5215; Filed, Mar. 28, 1946; 11:30 a. m.]

[MPR 188, Order 3 Under Order 7]

YARD-MAN, INC.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (b) of Order No. 7 under § 1499.159e of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's ceiling prices.* Yard-Man, Incorporated, 1410 West Ganson Street, Jackson, Michigan, may compute its adjusted ceiling prices for all articles of power lawn mowers which it manufactures, as follows:

(1) For an article which has a properly established ceiling price in effect before the effective date of this order,

the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by 12.2 percent.

(2) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly established or determined in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(3) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Reseller's ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

A reseller who had a properly established maximum price in effect before this order was issued for an article covered by this order may add to that maximum price an adjustment charge in the same dollar-and-cents amount as the adjustment charge authorized by this order for, and which he has paid to his supplier.

If the reseller did not have a properly established maximum price for the article in effect before this order was issued he shall first determine a maximum price (exclusive of adjustment charges), and to that price he may add an adjustment charge in the same dollar-and-cents amount as the adjustment charge authorized by this order for, and which he has paid to his supplier. To find his maximum price (exclusive of adjustment charges) for this purpose the reseller shall add to his invoice cost, less an adjustment charge stated on that invoice, the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, and approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that sec-



tion will reflect the supplier's prices as adjusted in accordance with this order.

If the maximum resale price (exclusive of adjustment charges) cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of such a maximum price under § 1499.3 (c) of the General Maximum Price Regulation.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, allowances and other price differentials in effect during March 1942, or which have been properly established under the applicable OPA regulation.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on the 29th day of March, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5202; Filed, Mar. 28, 1946;  
11:32 a. m.]

[MPR 188, Order 4931]

#### HYDRAULIC PRODUCTS CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Hydraulic Products Company of 6145 West Century Boulevard, Los Angeles 45, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—		
		Jobbers (wholesale)	Dealer	Consumers
Weed puller...	Automatic "One Punch."	Each \$0.99	Each \$1.32	Each \$1.98

These maximum prices are for the articles described in the manufacturer's application dated February 15, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment on, or before, the 10th of the month following date of shipment; net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail ceiling price properly filled in:

Model No. -- Automatic "One Punch"  
OPA Retail Ceiling Price—\$1.98 Each  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of March 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5201; Filed, Mar. 28, 1946;  
11:31 a. m.]

[MPR 591, Order 393]

#### HOLLYWOOD SHOWER DOOR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum prices, for sales by any person to consumers of the following shower doors manufactured by the Hollywood Shower Door Company of Hollywood, California, and described in its application which is on file with the Building Materials Branch, Office of Price Administration, Washington 25, D. C., shall be:

Standard glass shower door, 7/8" polished aluminum frame, width to 27", height to 66"----- \$35.00  
DeLuxe glass shower door, 1 1/8" polished aluminum frame, width to 27", height to 66"----- \$45.00

(b) The maximum net prices, f. o. b. point of shipment, for sales by any person to plumbing, heating and tile contractors, installers, and commercial and industrial users shall be the maximum prices specified in (a) above less a discount of 20 per cent.

(c) The maximum net prices, f. o. b. point of shipment, for sales by any person to distributors or jobbers shall be the maximum prices specified in (a) above less a discount of 30 per cent.

(d) The maximum prices established by this order shall be subject to such further discounts and allowances, including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers upon resale.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5203; Filed, Mar. 28, 1946;  
11:32 a. m.]

[MPR 594, Amdt. 2 to Rev. Order 4]

#### FORD MOTOR CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 9a of Maximum Price Regulation 594, *It is ordered:*

Revised Order No. 4 under Maximum Price Regulation 594 is amended in the following respects:

1. An item of optional equipment and its respective net wholesale price is added to the schedule in subparagraph (2) (i) (a) of paragraph (a) as follows:

Net wholesale price  
Description: Police siren----- \$45.45

2. An item of optional equipment and its respective list price is added to the



schedule in subparagraph (2) (i) (a) of paragraph (d) as follows:

Description: List price  
Police siren..... \$60.60

This amendment shall become effective March 28, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5225; Filed, Mar. 28, 1946;  
4:41 p. m.]

[RMPR 499, Rev. Order 1]

HELBROS WATCH CO.

# ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 13 and 14 of Revised Maximum Price Regulation 499, It is ordered, That Order No. 1 of Revised Maximum Price Regulation 499 be revised to read as follows:

(a) *Effect of this order.* This order establishes maximum prices at which certain imported watches identified below may be sold to retailers and at retail. These watches are imported by the Helbros Watch Company, 6 West 48th Street, New York, New York, hereinafter called the "importer."

(b) *Maximum prices for sales to retailers and at retail.* The maximum prices for sales by any person to retailers and at retail of the Helbros watches identified below are as follows:

Series	Description	Maximum Price to Retailers	Maximum Retail Price including Federal excise tax	Series	Description	Maximum Price to Retailers	Maximum Retail Price including Federal excise tax
<i>Men's Watches</i>				<i>Men's Watches—Continued</i>			
42530	11½L, 7J, RGP steel back, strap.....	\$8.75	\$19.75	75354CB	8 x 9, 17J, 14K gold, checker bracelet.....	\$41.50	\$110.00
42060	11½L, 7J, RGP steel back, strap.....	9.25	19.75	75864	8 x 9, 17J, 14K gold, strap.....	44.00	115.00
45320				75864CB	8 x 9, 17J, 14K gold, checker bracelet.....	48.00	125.00
45350				75024	8 x 9, 17J, 14K gold, strap.....	46.50	115.00
45450	11½L, 7J, RGP steel back, strap.....	10.00	22.50	75624CB	8 x 9, 17J, 14K gold, checker bracelet.....	50.50	125.00
45010							
71010							
71430				46288	11½L, 17J, chrome top, steel back, sweep-		
71530	8¾L, 7J, RGP steel back, strap.....	10.95	24.75	43288	second, strap.....	15.60	33.75
71550				46288X	11½L, 17J, chrome top, steel back, sweep-	18.60	39.75
71400	8¾L, 7J, RGP steel back, strap.....	11.45	24.75	52088	second, expansion bracelet.....	18.50	39.75
71730				52088X	11½L, 17J, chrome top, steel back, sweep-	21.50	47.50
46350				52588X	second, strap.....	24.95	57.50
46450	11½L, 17J, RGP steel back, strap.....	12.95	29.75				
46800							
46320							
46800SS	11½L, 17J, RGP steel back, sweepsecond, strap.....	13.95	33.75	61410			
50370	10½L, 17J, RGP steel back, strap.....	13.95	33.75	61450			
50520	10½L, 17J, RGP steel back, strap.....	14.50	37.50	61470	8¾L, 7J, RGP steel back, ratchet cord.....	9.95	19.75
50370X	10½L, 17J, RGP steel back, expansion brace-	17.95	42.50	61480			
	let.....			61030	8¾L, 7J, RGP steel back, ratchet cord.....	10.50	21.50
50520X	10½L, 17J, RGP steel back, expansion brace-	18.50	45.00	71030			
	let.....			71410			
51330	10½L, 17J, RGP steel back, strap.....	12.95	29.75	86450C			
51670				86010C			
51360	10½L, 17J, RGP steel back, strap.....	13.95	33.75	86320C			
51430	10½L, 17J, RGP steel back, strap.....	13.50	33.75	86500C	6 x 8, RGP steel back, ratchet cord.....	10.75	22.50
51800	10½L, 17J, RGP steel back, expansion bracelet.....	17.95	45.00	86700C			
51430X	10½L, 17J, RGP steel back, expansion bracelet.....	17.50	45.00	86770C			
51800X	10½L, 17J, gold filled, strap.....	18.75	45.00	86350C			
51802	10½L, 17J, gold filled expansion bracelet.....	22.75	57.50	86730C	8¾L, 17J, steel back, ratchet cord.....	13.25	29.75
51802X	10½L, 17J, gold filled sweepsecond, strap.....	19.75	49.75	72030C	8¾L, 17J, steel back, ratchet sweep second, ratchet cord.....	15.47	37.50
51802SS	10½L, 17J, gold filled sweepsecond, expansion bracelet.....	23.75	59.75	72410C			
51802SSX	10½L, 17J, gold filled sweepsecond strap.....	21.75	49.75	72608S	6 x 8, 17J, steel back, ratchet bracelet.....	13.75	33.75
52902SS	10½L, 17J, gold filled sweepsecond expansion bracelet.....	25.75	59.75	85100BR			
52902SSX	10½L, 17J, 14K gold, sweepsecond waterproof, strap.....	45.00	100.00	85360BR	6 x 8, 17J RGP steel back, ratchet cord.....	14.42	33.75
51284				85640C			
72010				85730C	6 x 8, 17J RGP steel back, bracelet.....	15.24	37.50
72350	8¾L, 17J, RGP steel back, strap.....	14.35	37.50	85640BR			
72520				85730BR	6 x 8, 17J RGP steel back, bracelet.....	15.65	39.75
72520X				85020BR			
72340				85330BR	6 x 8, 17J 14K gold, ratchet cord.....	18.95	45.00
72790				85310BR	6 x 8, 17J 14K gold, ratchet cord.....	20.41	49.75
72450				85560BR	6 x 8, 17J 14K gold, ratchet cord.....	21.23	49.75
72010X				85030BR			
72350X				85454	5L, 17J, gold filled, ratchet cord.....	20.49	49.75
72520X	8¾L, 17J, RGP steel back, expansion bracelet.....	18.35	47.50	85964			
72340X				85964	5L, 17J, gold filled, bracelet.....	21.49	52.50
72790X				85354	5L, 17J, gold filled, expansion bracelet.....	25.00	57.50
72450X				85034	5L, 17J, 14K gold, ratchet cord.....	23.95	57.50
72782	8¾L, 17J, RGP top and back, strap.....	15.35	37.50	85044	5L, 17J, 14K gold, ratchet cord.....	25.75	57.50
74322	8¾L, 17J, gold filled, strap.....	21.90	49.75	92952A	5L, 17J, gold filled, lapped ratchet cord.....	29.00	69.75
74322X	8¾L, 17J, gold filled, expansion bracelet.....	25.90	59.75	92952B			
74522SS	8¾L, 17J, gold filled, sweepsecond, strap.....	21.30	49.75	92402			
74522SSX	8¾L, 17J, gold filled, sweepsecond, expansion bracelet.....	25.30	59.75	92402BR	5L, 17J, gold filled, bracelet.....	21.49	52.50
74322SS	8¾L, 17J, gold filled, sweepsecond, strap.....	22.90	52.50	92062X	5L, 17J, gold filled, expansion bracelet.....	25.00	57.50
74322SSX	8¾L, 17J, gold filled, sweepsecond, expansion bracelet.....	26.90	65.00	93964	5L, 17J, 14K gold, ratchet cord.....	23.95	57.50
74462	8¾L.....			92964	5L, 17J, 14K gold, ratchet cord.....	25.75	57.50
74472				92964			
75012	8 x 9, 17J, gold filled, strap.....	19.95	47.50	92724			
75462	8 x 9, 17J, gold filled, strap.....			92734			
75442	8 x 9, 17J, gold filled, strap.....			92344			
74462X	8¾L.....						
74472X				25908	13¾L, 17J, steel case, strap.....	34.75	87.50
75012X	8 x 9, 17J, gold filled, expansion bracelet.....	23.95	57.50	25908X	13¾L, 17J, steel case, expansion bracelet.....	37.75	95.00
75462X	8 x 9, 17J, gold filled, expansion bracelet.....			24908	12¾L, 17J, chrome top, steel back strap.....	24.42	57.50
75442X	8 x 9, 17J, gold filled, expansion bracelet.....			24908X	12¾L, 17J, chrome top, steel expansion bracelet.....	27.60	65.00
75422	8 x 9, 17J, gold filled, strap.....	22.50	52.50	23908	Ditto with strap.....	23.40	49.75
75422X	8 x 9, 17J, gold filled, expansion bracelet.....	26.50	65.00	23908X	Ditto with expansion bracelet.....	26.39	57.50
74314	8¾L, 17J, 14K gold, strap.....	33.75	69.75				
75634	8 x 9, 17J, 14K gold, strap.....	35.50	87.50	77012	12S, 7J, RGP, pocket watch.....	11.50	22.50
75634CB	8 x 9, 17J, 14K gold, checker bracelet.....	39.50	100.00	78012	12S, 17J, RGP, pocket watch.....	15.31	33.75
75354	8 x 9, 17J, 14K gold, strap.....	37.50	100.00	76012	17L, 17J, RGP, thin pocket watch.....	17.79	42.50



The maximum retail prices listed above are inclusive of the Federal excise tax of 10%, 20% in the case of watches whose retail price is more than \$65.00.

No charge may be added to the above maximum retail prices for the extension of credit except under the conditions specified and to the extent permitted by section 12a of Revised Maximum Price Regulation No. 499.

(c) **Notification.** Any person who sells the watches identified above to a retailer shall furnish the purchaser with a copy of this order or a price list incorporating the above prices and containing a certification that they are maximum prices established by the Office of Price Administration. In addition, he shall include on every invoice covering a sale of these watches, the following statement:

OPA Revised Order No. 1 under Revised Maximum Price Regulation 499 establishes the maximum prices at which you may sell these watches.

This notification requirement supersedes the notification requirement in section 12 (a) of Revised Maximum Price Regulation No. 499 with respect to the watches covered by this order.

(d) **Tagging.** The importer shall include with every watch covered by this order delivered to a retailer after its effective date, a tag or label setting forth the number of the particular watch. This tag or label must not be removed until the watch is sold to an ultimate consumer.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in section 2 of Revised Maximum Price Regulation No. 499 shall apply to the terms used herein.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5223; Filed, Mar. 28, 1946;  
4:40 p. m.]

[MPR 591, Order 394]

RITE EQUIPMENT CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following deepfreezer manufactured by the Rite Equipment Company, 1005 South Fifth Street, Milwaukee 4, Wisconsin, and as described in the application dated November 21, 1945 which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
"Standard" deepfreezer, 11¼ cu. ft. ¼ h. p. condensing unit.....	\$190	\$228	\$380

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The Rite Equipment Company, 1005 South Fifth Street, Milwaukee 4, Wisconsin, shall stencil on the lid or cover of the Deepfreezer covered by this Order, substantially the following:

OPA Maximum Retail Price—\$380.00

Plus freight and crating as provided in Order No. 394 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5204; Filed, Mar. 28, 1946;  
11:32 a. m.]

[MPR 591, Order 395]

WALTER RHODES AND CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following home freezers, manufactured by Walter Rhodes and Company, 628 Pekin Avenue, Creve Coeur, Illinois, and as described in the application dated November 29, 1945, which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model No.	On sales to—		
	Distributors	Dealers	Consumers
R-H, 8 cu. ft. ¼ h. p. condensing unit.....	\$170	\$204	\$340
R-12, 12 cu. ft. ¼ h. p. condensing unit.....	214	259	428
R-16, 16 cu. ft. ¼ h. p. condensing unit.....	268	322	536
R-24, 24 cu. ft. ½ h. p. condensing unit.....	362	435	724

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) Rhodes and Company of Creve Coeur, Illinois, shall stencil on the lid or cover of the home freezer covered by this order, substantially the following:

OPA Maximum Retail Price—\$-----

Plus freight and crating as provided in Order No. 395 under Maximum Price Regulation No. 591

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 29, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5205; Filed, Mar. 28, 1946;  
11:32 a. m.]



[RMPR 136, Amdt. 1 to Order 572]

## SPECIALTY TRANSFORMERS

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 30 of Revised Maximum Price Regulation 136, it is ordered:

Paragraph (a) of Order No. 572 under Revised Maximum Price Regulation 136 is hereby amended to read as follows:

(a) For the purposes of this order, specialty transformers shall be defined as follows:

Natural draft air-cooled apparatus, generally known as transformers, auto-transformers, or iron core reactors, used for gas tube signs, gas and fuel oil ignition, internal combustion engine ignition, welding (except arc welding), street lighting controls—also for the distribution of power and lighting on circuits 600 volts and less, or for miscellaneous and general purpose applications, to which air-cooled transformer parts are readily adaptable, and/or all renewal or repair parts thereof.

This amendment to Order No. 572 shall become effective March 30, 1946.

Issued this 29th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5232; Filed, Mar. 29, 1946;  
11:34 a. m.]

[SR 14H, Order 6]

PICK-UP AND DELIVERY SERVICES FOR  
WESTERN TRUNK LINE RAILROADS AT  
CHICAGO, ILL.

MODIFICATION OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TRANSPORTATION SERVICES

For the reasons set forth in the accompanying opinion, and under the authority vested in the Administrator by section 9 of Supplementary Regulation 14H, as amended, it is hereby ordered:

(a) *Applicability.* This order applies to all motor carriers that perform pick-up and delivery services for Western Trunk Line Railroads<sup>1</sup> within their terminal areas at Chicago, Illinois.

(b) *Maximum rates.* Except as modified below, the maximum rates which may be charged or paid for the services covered by this Order shall be the following:

Zone 1—Lots under 6,000 lbs.—19 per cwt.—minimum 60¢ per pick-up or delivery.

<sup>1</sup> The Alton Railroad, Atchison, Topeka & Santa Fe Ry., Chicago & Eastern Illinois R. R., Chicago & North Western Ry., Chicago, Burlington & Quincy R. R., Chicago Great Western Ry., Chicago, Indianapolis & Louisville Ry., Chicago, Milwaukee, St. Paul and Pacific R. R., The Chicago, Rock Island & Pacific Ry. Co., Illinois Central R. R., New York Central R. R. Co. (C. C. & St. L. District), Minneapolis, St. Paul & Sault Ste. Marie R. R. Co., and Wabash R. R. Co. (East and West).

Lots of 6,000 lbs. to 11,999 lbs.—10½¢ per cwt.

Lots of 12,000 lbs. and up—8¢ per cwt.  
Minimum per trailer load—\$5.50.

Zone 2—Lots under 6,000 lbs.—19¢ per cwt.—minimum 75¢ per pick-up or delivery.

Lots of 6,000 to 11,999 lbs.—13¢ per cwt.  
Lots of 12,000 lbs. and up—10½¢ per cwt.

Minimum per trailer load—\$6.50.

In applying the \$5.50 and \$6.50 minima per trailer load, trucks of 500 cu. ft. or greater capacity will be considered trailers.

(c) *Exceptions.* Any OPA order which establishes a maximum rate for the services covered hereby in excess of the maximum rate established by this order shall remain in full force and effect.

(d) *Effective date.* This order shall apply to all services performed on and after January 1, 1946.

Issued this 28th day of March 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-5220; Filed, Mar. 28, 1946;  
4:40 p. m.]

## Regional and District Office Orders.

[Region I Order G-1 Under Gen. Order 70]

## SELF-LOCKING CARTON CO.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by sections (b) and (c) of General Order No. 70, it is ordered:

(a) On and after the effective date of this order, the maximum prices as established by Revised Maximum Price Regulation No. 187 for sales by manufacturers, and by Maximum Price Regulation No. 349 for sales by distributors, of all "Carry-safe" molded pulp 3 x 4 egg cartons, manufactured by Self-Locking Carton Company, Chicago, Illinois, at its plant located at Palmer, Massachusetts, are modified so that the maximum prices for such egg cartons shall be as follows:

(1) *Manufacturer's maximum prices to all purchasers in Region I.*

## STOCK PRINTS

1 M.....\$7.50

## SPECIAL PRINTING (1 COLOR—BLUE)

	Front panel only	All three panels
	Per M	Per M
5 M.....	\$1.00	\$2.00
10 M.....	.75	1.50
25 M.....	.60	1.25
50 M.....	.50	1.00
100 M.....	.25	.50
Carload.....	.10	.25

Terms: Less than carload lots, list price—2 percent, 10 days, net 30; carload lots, list price—less 5 percent.

(i) The above established prices shall be f. o. b. mill, Palmer, Massachusetts.

(ii) The prices established herein include cover closures. Twenty-five cents per M shall be deducted for cartons without closures.

(iii) Cartons shall be packed nested, 250 per bundle. Shipping weight shall be approximately 75 pounds per M.

(iv) "Stock prints" shall include all cartons covered by this order bearing the factory design indicating the contents of the carton, with no additional printing at the customer's request.

(v) "Special printing" shall consist of any printing at the request of the customer, including trade names, addresses or slogans, but shall not include printing which merely indicates the contents of the carton.

(2) *Maximum prices for all resellers in Region I.*

	Per M
Under 1 M.....	\$10.13
1 M to 4,999.....	9.58
5 M to 99,999.....	9.03
100 M and over.....	8.79

All sellers who purchase direct from the manufacturer for resale may add the actual freight paid to the above established resale prices.

(b) Region I comprises the territory within the geographical boundaries of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut.

(c) This order may be amended, revised or revoked at any time.

(d) This order shall become effective immediately.

Issued this 27th day of March 1946.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 46-5150; Filed, Mar. 27, 1946;  
4:36 p. m.]

[Region I Order G-19 Under RMPR 122,  
Amdt. 4]

## SOLID FUELS IN CONCORD, N. H., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (2) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-19 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respect:

1. The following paragraph (m) is added:

(m) Dealers located in the town of Pembroke, in connection with their sales of any solid fuels covered by this order, may add the increases shown below to the maximum prices set forth under each of the price schedules contained herein, as follows:

Unit:	Increase
Net ton.....	\$0.45
½ ton.....	.22
¼ ton.....	.11
100 lbs.....	None

## SIZE—ALL SIZES

Unit:	Increase
Net ton.....	\$0.45
½ ton.....	.22
¼ ton.....	.11
100 lbs.....	None

This Amendment No. 4 shall become effective March 11, 1946.

Issued this 5th day of March 1946.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 46-5145; Filed, Mar. 27, 1946;  
4:35 p. m.]



[Region II Rev. Order G-2 Under SO 142]

## BUCH MFG. CO.

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by the Emergency Price Control Act of 1942 as amended, and by Supplementary Order 142 as amended, *It is hereby ordered, That:*

(a) The established net maximum prices of October 1, 1941, of Buch Manufacturing Company, Elizabethtown, Pennsylvania, for the products listed below, may be increased by the percentages listed below:

Name of product	Percentage increase (percent)
Corn shellers.....	22.0
Wood saws.....	15.7
Land rollers—100 series.....	15.7
Pulverizers—600 series.....	22.0
Sprocket pulverizers.....	22.0
Feed cutters.....	19.4
Mangers.....	11.4
Stone boats.....	19.4
Cast iron troughs.....	19.4
Steel troughs.....	14.4
Bag trucks.....	14.4
Concrete mixers.....	14.4
Asphalt tampers.....	17.6

(b) Persons who buy from Buch Manufacturing Co., for resale, any of the products listed in paragraph (a), except Asphalt Tampers, Bag Trucks, and Concrete Mixers, may apply to the Office of Price Administration for an increase in their resale prices in accordance with § 1361.57 (f) of MPR 246. Persons who buy from Buch Manufacturing Company for resale, Asphalt Tampers, Bag Trucks, and Concrete Mixers, may add to their maximum prices for such products, the dollars and cents increase in cost resulting from the increase granted to Buch Manufacturing Co., by this order. At or before the first sale after the date hereof to any reseller, Buch Manufacturing Company shall notify such reseller, in writing, of the provisions of this paragraph, and shall state to such reseller the amount of the dollars and cents increase in price resulting from the adjustment permitted by this order.

(c) Customary discounts, allowances, and other price differentials shall be maintained on all sales affected by this order.

(d) This order may be revoked, amended, or corrected at any time by the Regional Administrator or the Price Administrator.

(e) A copy of this order has been filed with the Division of the Federal Register where it is open to inspection by the public.

(f) All prayers of the application of Buch Manufacturing Company not granted herein, are denied.

(g) Buch Manufacturing Company may, within 60 days after the date of this order, file with this office a request for review by the Administrator of the partial denial of this application.

(h) Buch Manufacturing Company shall file with this office, within 30 days

after June 30, 1946, a breakdown of the sales of each of the products listed above for the 3 months beginning April 1, 1946, and ending June 30, 1946. Said Buch Manufacturing Company, shall also file with this office within 30 days after September 30, 1946, a Profit and Loss Statement and a breakdown of the sales of the products listed above for the 6 months beginning April 1, 1946, and ending September 30, 1946.

(i) Order No. G-2 under Supplementary Order 142, issued March 8, 1946, is hereby revoked as of the effective date of this order.

This order shall become effective immediately.

Issued this 25th day of March 1946.

LEO F. GENTNER,  
Regional Administrator.

[F. R. Doc. 46-5147; Filed, Mar. 27, 1946;  
4:36 p. m.]

[Region II Order G-4 Under SO 142]

## C. S. ASHCRAFT MFG. CO.

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by the Emergency Price Control Act of 1942 as amended, and by Supplementary Order Number 142 as amended, *It is hereby ordered, That:*

(a) Established maximum prices of October 1, 1941, of C. S. Ashcraft Mfg. Co., 36-32 38th Street, Long Island City, New York, for Suprex Types D and E projection arcs, cyclex projection equipment, copper oxide rectifiers, tube rectifiers, replacement parts, and low intensity arcs, may be increased by 10.6%.

(b) Persons who buy from C. S. Ashcraft Mfg. Company, for resale, the products listed in paragraph (a), except replacement parts, may add to their established maximum price, for these products as determined under the applicable regulation, the dollars and cents increase in cost to them, resulting from the increase granted to the manufacturer under paragraph (a) of this order. Persons who buy from C. S. Ashcraft Mfg. Co., for resale, replacement parts, may increase by 10.6% their established maximum prices for such replacement parts. At or before the first sale after the date hereof to any reseller, C. S. Ashcraft Mfg. Co. shall notify such reseller, in writing, of the provisions of this paragraph, and shall state to such reseller the amount of the dollars and cents increase in price which such reseller may add to his maximum price under the provisions of this paragraph on the products listed in paragraph (a); except replacement parts.

(c) Customary discounts, allowances, and other price differentials shall be maintained on all sales affected by this order.

(d) This order may be revoked, amended, or corrected at any time by the Regional Administrator or the Price Administrator.

(e) A copy of this order has been filed with the Division of the Federal Register where it is open to inspection by the public.

(f) All prayers of the application of C. S. Ashcraft Mfg. Co., not granted herein, are denied.

(g) C. S. Ashcraft Mfg. Co. may, within 60 days after the date of this Order, file with this office a request for review by the Administrator of the partial denial of this application.

(h) C. S. Ashcraft Mfg. Co. shall file with this Office after September 30, 1946, a Profit and Loss Statement and Balance Sheet, showing the results of its operations for the 6 month period beginning April 1, 1946, and ending September 30, 1946.

This order shall become effective immediately.

Issued this 25th day of March 1946.

LEO F. GENTNER,  
Regional Administrator.

[F. R. Doc. 46-5143; Filed, Mar. 27, 1946;  
4:35 p. m.]

[Region II Order G-52 Under RMPR 122,  
Amdt. 5]

## PENNSYLVANIA ANTHRACITE IN NEW YORK

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-52 is amended in the following respects:

1. Paragraph (d) (1) is amended by revising the maximum authorized service charges to read as follows:

(d) *Schedule I. \* \* \**  
(1) *Sales on a "direct-delivery" basis. \* \* \**

## MAXIMUM AUTHORIZED SERVICE CHARGES

*Special Service Rendered at the Request of the Purchaser*

"Carry" or "Wheel" (except for sales amounting to less than 1 ton): 70¢ per net ton.  
"Carrying upstairs or downstairs" for each seven steps or fraction thereof beyond the sixth step up or down (except for sales amounting to less than 1 ton): 70¢ per net ton for each seven steps or fraction thereof commencing with the seventh step up or down.

Trimming: 10¢ per net ton.

For deliveries involving hauling beyond 5 miles from the dealer's yard: 50¢ per net ton for each 5 miles or fraction thereof beyond 5 miles from the dealer's yard.

This Amendment No. 5 to Order No. G-52 shall become effective February 25, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued February 20, 1946.

LEO F. GENTNER,  
Regional Administrator.

[F. R. Doc. 46-5144; Filed, Mar. 27, 1946;  
4:35 p. m.]



[Region II Order G-73 Under RMPR 122]

## ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *Pennsylvania anthracite with ash content in excess of quality standards.* (1) Maximum prices for Pennsylvania anthracite received by a dealer which has been identified by his supplier prior to its dumping into a barge at the piers or unloading from car into bins as anthracite with an ash content in excess of OPA quality standards shall be the maximum per net ton prices established by the dealer under the applicable area dollar-and-cent order as amended or revised, listed in paragraph (b) of this order, less the following amounts:

Size	Per net ton
Broken, egg, stove and nut.....	\$1.00
Pea.....	.80
Buckwheat No. 1.....	.60
Rice (buckwheat No. 2).....	.50

(2) For sales of fractions of a net ton, the reduction shall be proportionate.

(3) Such anthracite shall be kept separate in storage and delivery from all other anthracite.

(4) Every dealer selling Pennsylvania anthracite which has been identified by his supplier prior to its dumping into a barge at the piers or unloading from car into bins as anthracite with an ash content in excess of OPA quality standards must, in addition to requirements contained in the applicable area dollars-and-cents orders, place the following legend on the invoice, sales slip or receipt:

Price reduced because of high ash content.

(b) *Area dollar-and-cent orders subject to the conditions set out in paragraph (a):*

Second Revised Order No. G-1, Revised Order No. G-3, Order No. G-4, Revised Order No. G-7, Revised Order No. G-8, Order No. G-9, Revised Order No. G-11, Revised Order No. G-12, Revised Order No. G-13, Revised Order No. G-14, Revised Order No. G-15, Revised Order No. G-16, Revised Order No. G-17, Second Revised Order No. G-18, Revised Order No. G-19, Order No. G-20, Order No. G-22, Order No. G-24, Order No. G-27, Order No. G-29, Order No. G-32, Order No. G-35, Order No. G-36, Order No. G-37, Order No. G-38, Order No. G-39, Order No. G-40, Order No. G-41, Order No. G-42, Order No. G-44, Order No. G-45, Order No. G-46, Order No. G-49, Order No. 50, Order No. G-51, Order No. G-52, Order No. G-56, Order No. G-59, Order No. G-61, Order No. G-66, Order No. G-67, Order No. G-69.

This Order No. G-73 shall become effective March 19, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued March 18, 1946.

LEO F. GENTNER,  
Regional Administrator.

[F. R. Doc. 46-5146; Filed, Mar. 27, 1946; 4:35 p. m.]

[Region III 2d Rev. Order G-34 Under RMPR 122]

## SOLID FUELS IN YOUNGSTOWN, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) This adopting order covers all sales to domestic consumers and unequipped dealers purchasing for resale of specified solid fuels when sold and delivered within the Youngstown, Ohio, Area, described as all the territory within the corporate limits of the municipalities of Youngstown, Girard, Struthers, Campbell, Hubbard, Hall's Corners, Poland and Lowellville, and all territory within the townships of Liberty and Hubbard in Trumbull County and the townships of Youngstown, Coitsville, Boardman, Canfield and Poland in Mahoning County, all within the State of Ohio.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Second Revision of Order No. G-34 supersedes Revised Order No. G-34 under Revised Maximum Price Regulation No. 122. Revised Order No. G-34 is hereby revoked by this Second Revision of Order No. G-34. This Second Revision of Order No. G-34 is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Second Revision of Order No. G-34.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which maximum prices are established, Column II lists maximum prices for sales of solid fuel in

quantities of two or more tons on a direct delivery basis, pursuant to which payment is made within fifteen days after the date of delivery, and Column III lists maximum prices for sales of solid fuel in quantities of two or more tons on a direct delivery basis, pursuant to which payment is made more than fifteen days after the date of delivery. All prices are for sales on a net ton basis.

## SCHEDULE I—SOLID FUELS RECEIVED BY RAIL

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 2 (western Pennsylvania): <sup>1</sup>		
A. Lump and double-screened coals:		
1. Size group Nos. 1 and 2 (bottom size larger than 2")		
a. Mine price classification A.....	\$7.70	\$8.20
b. Mine price classifications B through E.....	7.60	8.10
2. Size group Nos. 3, 4 and 5 (bottom size smaller than 2")		
a. Mine price classifications A through C.....	7.60	8.10
b. Mine price classifications F through H.....	7.15	7.65
II. High volatile bituminous coals from producing district No. 3 (northwestern West Virginia, excluding Panhandle): <sup>1</sup>		
A. Pittsburgh seam—1. Lump-size group No. 2 (bottom size larger than 2" but not exceeding 5") mine price classifications D and E.....	7.43	7.93
III. High volatile bituminous coals from producing district No. 4 (Ohio):		
A. Lump and egg:		
1. Size group No. 1 (bottom size larger than 2") from subdistrict No. 1 (eastern Ohio).....	7.51	8.01
2. Size group No. 2 (single screened bottom size larger than 2" but not exceeding 5"; double screened bottom size larger than 2"):		
a. From subdistrict No. 1 (eastern Ohio).....	7.31	7.81
b. From subdistrict No. 4 (middle).....	7.51	2.61
3. Size group Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2") from subdistrict No. 1 (eastern Ohio).....	7.01	7.51
IV. High volatile bituminous coals from producing district No. 6 (West Virginia Panhandle)—A. Lump: Size group No. 2 (bottom size larger than 2" but not exceeding 5").....	7.33	7.83
V. High volatile bituminous coals from producing district No. 8 (eastern Kentucky and southern West Virginia, western Virginia and northeastern Tennessee): <sup>1</sup>		
A. Lump: 1. Size group No. 2 (bottom size larger than 3" but not exceeding 5") mine price classifications C through H.....	9.00	9.50
B. To the prices stated in paragraph A of part V may be added \$0.15 per ton provided the coal is mined in subdistrict 6 of producing No. 8 and provided it is separately weighed and billed. Subdistrict 6 includes that portion of district No. 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whiteley.		
VI. Low volatile bituminous coals from producing district No. 7 (southern West Virginia and western Virginia): <sup>1</sup>		
A. Stoker (nut, pea or dedusted screening)—size group Nos. 4 and 5 (top size not exceeding 1 1/4" x bottom size smaller than 1 1/4") mine price classification A.....	8.90	9.40

<sup>1</sup> \$0.10 per ton may be added to the prices of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.



(2) *Discounts.* (1) A discount of not less than \$1.00 per ton on the prices listed in Column II shall be given to domestic consumer's purchasing at the yard.

(11) A discount of not less than \$1.00 per ton on the prices listed in Column II shall be given to all unequipped dealers purchasing at the yard for resale.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Carry in from curb.....	\$1.00
Wheel in from curb.....	.75
Use of extra chute to deliver coal into customer's bin.....	.35
Service charge permitted in columns II and III prices on sales of at least 1 ton but less than 2 tons.....	.25

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective November 29, 1945.

Issued: January 30, 1946.

JOHN F. KESSEL,  
Regional Administrator.

[F. R. Doc. 46-5148; Filed, Mar. 27, 1946; 4:36 p. m.]

[Peoria Order G-2 Under Gen. Order 68, Amdt. 1]

#### HARD BUILDING MATERIALS IN BLOOMINGTON, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-2 under General Order No. 68 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *Definitions.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor; provided that for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political sub-divisions.

Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commod-

ity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

2. The dollars-and-cents ceiling prices set out in Appendix A to Order No. G-2

are amended to read as set out in Appendix A attached hereto and made a part hereof.

The list of maximum prices fixed by Appendix A as amended hereby shall be posted as provided in section 5 of Order No. G-2.

This amendment to Order No. G-2 shall become effective April 1st, 1946.

Issued this 21st day of March 1946.

KENNETH H. LEMMER,  
District Director.

#### APPENDIX A

*Area covered.* The area within the city limits of the City of Bloomington, Ill., and also the area in McLean County, Ill., lying outside such city limits and within a radius of six (6) miles from the County Court House located in Bloomington, Ill., which area includes the City of Normal, Ill.

#### DOLLARS-AND-CENTS CEILING PRICES

Commodity	Unit	Maximum price †
Plaster:		
Hard wall.....	100-lb. bag	\$1.10
Hard wall.....	50-lb. bag	.65
Hard wall.....	Per ton	20.00
Gauging (super white).....	100-lb. bag	1.75
Gauging (local).....	100-lb. bag	1.10
Moulding.....	100-lb. bag	1.75
Cement, Keene's.....	100-lb. bag	2.55
Lime, finishing.....	50-lb. bag	.60
Gypsum lath 3/8".....	Sq. ft.	.028
Metal lath:		
2.2 lb. painted diamond mesh.....	Sq. yd.	.25
2.5 lb. painted diamond mesh.....	Sq. yd.	.28
3.4-lb. painted diamond mesh.....	Sq. yd.	.30
Corner bead, expanded type.....	Lin. ft.	.05
Portland cement, standard (paper bags).....	94-lb. bag	.80
Masonry mortar (paper sacks).....	70-lb. bag	.70
Mason's hydrated lime.....	50-lb. bag	.60
Waterproof cement (gray).....	94-lb. bag	1.10
Fire brick, 9" first quality, dry press, straight, Missouri.....	Per 1,000	77.50
Fire clay.....	100-lb. bag	1.25
Clay drain tile:		
4".....	Lin. ft.	.055
6".....	Lin. ft.	.10
Vitrified clay sewer pipe, No. 1SS:		
4".....	Lin. ft.	.204
6".....	Lin. ft.	.306
Flue lining:		
8 x 8".....	Lin. ft.	.398
8 x 12".....	Lin. ft.	.597
12 x 12".....	Lin. ft.	.742
Gypsum Wallboard 3/8".....	Sq. ft.	.045
Gypsum Sheathing 1/2".....	Sq. ft.	.045
Asphalt roofing, 90 lb., mineral surface.....	Per square	2.58
Asphalt or tarred felting:		
15-lb., 432 sq. ft.....	Per roll	2.58
30-lb., 216 sq. ft.....	Per roll	2.58
Asphalt shingles:		
210-lb. (3 in 1) thickbutt.....	Per square	6.18
165-lb. 2-tab, hexagon.....	Per square	4.94
Fibre insulation board:		
1/2" standard lath and board.....	Sq. ft.	.055
2 1/2" asphalt sheathing.....	Sq. ft.	.065
Standard density synthetic fibre board, 1/2" tempered, standard size.....	Sq. ft.	.095
Thermal insulation blankets (paper backed):		
Balsam wool standard.....	Sq. ft.	.05
Balsam wool double thick.....	Sq. ft.	.0725
Thermal insulation batts (paper backed):		
2" thick.....	Sq. ft.	.05
Full thick.....	Sq. ft.	.07
Thermal insulation, loose in bags (plain).....	35-lb. bag	1.00
Vitrified tile, 4" T's, L's, and Y's.....	Each	.81
Vitrified tile, 6" T's, L's, and Y's.....	Each	1.22

† All sales subject to 2 percent cash discount if paid within 10 days from date of sale.

[F. R. Doc. 46-5149; Filed, Mar. 27, 1946; 4:36 p. m.]